

## UNITED STATES OF AMERICA

## NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

ALLISION OF THE LPG TANKER *LEVANT* \*

WITH THE ALCOA INTALCO WORKS GAS \* Accident No.: DCA20FM006

TERMINAL PIER AT FERNDALE, WA \*

DECEMBER 15, 2019 \*

\*

\* \* \* \* \*

Interview of: BRIAN HENSHAW

Pilot

Coast Guard Sector Puget Sound  
Seattle, WashingtonSunday,  
December 15, 2019

## APPEARANCES:

ADAM TUCKER, Investigator in Charge  
National Transportation Safety Board

CWO [REDACTED], Lead [REDACTED]  
United States Coast Guard

[REDACTED] [REDACTED], Marine Investigator  
United States Coast Guard

CAPT NED KILEY, Commissioner  
Washington State Board of Pilotage Commissioners  
(U.S. Coast Guard - Retired)

DON McLEAN, Attorney  
(On behalf of Mr. Henshaw)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Brian Henshaw:		
By CWO [REDACTED]		5
By Unidentified Speaker		33
By CWO [REDACTED]		34
By Mr. Tucker		39
By CAPT Kiley		72
By Mr. Tramm		87
By CWO [REDACTED]		[REDACTED]
By Mr. Tucker		93
By CWO [REDACTED]		105

I N T E R V I E W

(9:57 a.m.)

MR. TUCKER: The recording is started, and we are at Coast Guard Sector Puget Sound in Seattle, Washington, and the time is 0957. My name is Adam Tucker. I'm with the National Transportation Safety Board, and we are conducting an interview of the pilot that was on board the gas carrier LEVANT for the casualty that took place on the 15th of December 2019 in the Port of Ferndale, Washington.

We're going to go around the room and we're going to introduce ourselves, and I will start with my right, we'll work our way around, and we'll end up with the Coast Guard.

So my name is Adam Tucker. I'm with the National Transportation Safety Board.

CAPT KILEY: Captain Ned Kiley, U.S. Coast Guard (Retired), Public Commissioner, Washington State Board of Pilotage Commissioners.

MR. [REDACTED]: [REDACTED] [REDACTED], U.S. Coast Guard Marine Investigator.

MR. McLEAN: Don McLean. I'm the attorney for Mr. Henshaw.

MR. HENSHAW: I'm Captain Brian Henshaw with the Puget Sound Pilots.

CWO [REDACTED] And I am Chief Warrant Officer [REDACTED] [REDACTED] lead investigator for the United States Coast Guard.

MR. TUCKER: Captain Henshaw, just a quick one, are you okay that we record this interview, sir?

1 MR. HENSHAW: Yes.

2 MR. TUCKER: Okay. Thank you very much for that. Just  
3 another side note, what I forgot to mention, that I do take notes.  
4 They're personal chicken scratch, mostly memory items. It's all  
5 transparent for you; if you want to look at my notes, it's fine.  
6 But what I'm trying to say is if we -- if you're into a mental  
7 dialogue, don't let my notes slow you down. So --

8 MR. HENSHAW: Okay.

9 MR. TUCKER: Yeah. Thank you.

10 INTERVIEW OF BRIAN HENSHAW

11 BY CWO [REDACTED]

12 Q. All right. Well, we'll go ahead and get started there,  
13 Captain. So I'd just like to start off with what you hold for  
14 credentials?

15 A. I have a United States license that is unlimited inland  
16 master. I have all pilotage for the District of Puget Sound,  
17 including all interconnecting waterways. I have a state license  
18 with the State of Washington for pilotage. As far as navigation  
19 licenses, I also have all documentation and requirements for the  
20 job -- offhand, I can go through a lot of detail, but that's my  
21 licenses of state.

22 Q. Okay. And are all of your licenses current?

23 A. Yes.

24 Q. Okay. Any of them due to expire shortly?

25 A. No. Well, the Coast Guard, I have a 5-year on my navigation

1 license, U.S. Coast Guard; it expires this spring, late spring.

2 Q. Okay.

3 A. I believe it's like April or May.

4 Q. Okay.

5 A. So the process -- normally with the process of renewing  
6 licenses is usually started about 60 to 90 days ahead of time,  
7 depending on the activity in Washington, D.C., so that's normally  
8 what I would be doing in February, would be going through the  
9 process of renewing my Coast Guard License.

10 Q. Okay.

11 A. It's a 5-year renewal.

12 Q. Do you have any restrictions, like medical restrictions or  
13 any kind of restrictions on your license?

14 A. No.

15 Q. Okay. Let's see here. Have you attended any kind of  
16 training recently in conjunction with your licenses?

17 A. Yes, I had -- we have a 5-year renewal for ship handling and  
18 we were down at the -- it has to do with model ship or simulator  
19 training to upgrade or to keep our activity active. This is in  
20 conjunction with the state of Washington, and so it was for the  
21 purpose of extra-large container ships at the simulator down at the  
22 PMI facility down here, facilitated by Captain Bauma with the  
23 Puget Sound Pilots. And we conducted simulator training and --  
24 with larger container ships and also with cruise ships, because  
25 the size of the cruise ships now are part of our training that we

1 would like to accomplish.

2 The 5-year is my normal time, but I've also been in the  
3 simulator previous to that but I can't recall the date, but it's  
4 not within this last year.

5 Q. Okay. Understood. Okay. Well, what I'd like to do is just  
6 to start off by letting you talk through what happened on the 14th  
7 and the 15th. So I'd like to start with you getting underway from  
8 the facility.

9 A. Yes.

10 Q. And just work your way all the way to just after the incident  
11 occurred.

12 A. Okay. I'll start with boarding the ship when I was on board  
13 because everything else before that is a process of a normal  
14 dispatch transportation to get to the vessel --

15 Q. Understood.

16 A. -- to prepare myself for the job itself. At the facility we  
17 were under a falling tide condition and so we had concerns. Not  
18 concerns; we had an interest to make sure the vessel was away from  
19 the berth before the level of the tide became to a critical area  
20 because that's why we're shifting the ship to anchor.

21 So I talked to the foreman or the operations director on the  
22 pier to find out if their hose was still connected to the ship  
23 when I came down to the pier. He says they were just -- they were  
24 finished loading the ship but they were just draining the pipe  
25 back. And so I asked how long, and he says, well, they're in the

1 process, they'll get it soon. And I said, as soon as I calculate  
2 the draft of the ship, I'll let them know what time we expect to  
3 be alongside, and I asked him what time he thought the ship would  
4 be there. And he assumed around 4:30, but that's his estimation.

5 I was on board the ship at 1922. I met with the captain. I  
6 went through a dialogue with him about the expectations of moving  
7 from the ship to anchor, and then getting all the information  
8 about the draft of the ship. We had our master-pilot exchange,  
9 went through his pilot card, had him also go through my questions  
10 about the navigation of the vessel as far as I would be basically  
11 -- I maneuver the ship and make sure everything was working okay,  
12 everything was working fine.

13 I calculated the draft at 10 -- well, the calculation of the  
14 draft is 10.4, and the draft of the -- or the berth depth is 32.6  
15 feet. So I had to make sure that, with the proper water under the  
16 keel, what was the last time the ship needed to be away from the  
17 berth, and I figured 2100 we needed to be away.

18 And I told the captain, I said, I would like -- you know, the  
19 conversation is kind is misjointed. It's not in chronological  
20 order here, but these things were covered. I said I figured we  
21 wanted to be away by 2045 to make sure we had a good safety  
22 measure.

23 The captain was in constant contact with the crew trying to  
24 get the headers, the disconnection, and he mentioned it more than  
25 a few times about his concern in his voice about making sure that



1 we got away safely under all conditions. And then when we got the  
2 hose disconnected, gangway is aboard, we let go of lines at 2018.  
3 I had two tugs assisting the ship. I had the *Garth Foss* on the  
4 bow, port bow, made up with one line and I had the *Lindsey Foss* on  
5 the port quarter made up with one line. Talked with both towboat  
6 captains.

7       Conversation was more of just giving them the information  
8 about the ship that the ship had -- it's common now because the  
9 tows are so strong that the bollard capability of what the maximum  
10 safe working load for the ship was 80 tons.

11       The ship -- the tugs both are just close to 80 tons  
12 themselves, are a maximum. I knew both operators, I've worked  
13 with them numerous times before. It was a very comfortable  
14 evening, calm, light air, cool.

15       And while I was preparing for the departure I looked at the  
16 ECDIS in the radar as normal and made sure all the equipment was  
17 working properly for my use. The azimuth -- excuse me -- the gyro  
18 heading was within tolerance of 345, and also I noted the ECDIS  
19 was working properly and -- these are the portside facilities.  
20 Their captain was looking at his equipment on the starboard side  
21 of the console, which is to the right of the steering stand; I'm  
22 on the left side or port side.

23       So I got my radar tuned and looked at the ECDIS. And I'm  
24 pretty sure that the input of the speed was log speed, and I  
25 always use GPS input speed for ground stabilization due to

1 proximity close to piers and just what I always use in Puget Sound  
2 when I'm on board. Numerous times I've been on vessels and that's  
3 usually the first thing I look for is to make sure that the speed  
4 is a GPS inputted speed or digital differential GPS speed.

5 So I used the ECDIS to mark a position .7 miles off the  
6 shore, and which would have been halfway between the two berths,  
7 between Intalco berth and the Phillips, ConocoPhillips berth to  
8 the south.

9 I had just anchored a ship there in October, so I used the  
10 same range that I'd used before, and it would be in about 20  
11 meters. We talked to the captain about where my position would  
12 be, and I -- and he said or I said, we'll let go of the anchor,  
13 we'll back out. He says, I want to -- he said he -- made the  
14 situation of saying that I would rather keep this vessel, the  
15 anchor in gear because it's a Chinese-built ship and he didn't  
16 feel comfortable with the equipment of the ground tackle.

17 And I said, well, Captain, that's not even 1 shackle deep.  
18 One shackle is 90 feet. It was about 27 meters. I said, Captain,  
19 I'd prefer to just drop the anchor, it's a little -- the process  
20 is easier when we're maneuvering a vessel. I wanted to make sure  
21 that he was aware I preferred to do that. He wanted to keep it in  
22 gear, which is fine, that would be fine.

23 So we had both tugs away at 2018, maneuvered to the vessel to  
24 the position. He changed it when he realized that we had a little  
25 bit of a flood current, and I was trying to develop the swing of

1 the ship to the anchorage position. The stern was -- we're  
2 heading on a westerly direction. So he changed and told the crew  
3 that he'd go ahead and put it on the brake.

4 So we backed the anchor to the water's edge to let go of the  
5 anchor at that position. I told him we would end up with 5  
6 shackles in the water. The weather condition was maximum of 10  
7 knots east to southeast, was the forecast. So for the short  
8 amount of time we were there no forecast or any strong winds, the  
9 depth seemed -- 5 shackles in that scope would be proper and safe  
10 for the anchorage.

11 So I let go of the bow tug, anchored with the stern tug still  
12 tethered on the quarter. He assisted a little bit on the position  
13 of the vessel to make sure that she stretched the chain out. And  
14 we were anchored down and all finished with position at, I believe  
15 -- the notes I don't have -- is 2050.

16 With my calculations with me, I talked with the captain and I  
17 expressed what I felt would be the time that we wanted to be  
18 alongside the berth. I said that I factored 0430 would be the  
19 safe measure. He had commented before and had said at this time  
20 that he would like to get in as soon as possible due to the one  
21 more shift in. They wanted to get as much cargo on this ship  
22 because they needed to get underway at 1800 the following day due  
23 to a falling tide again.

24 So they wanted to maximize cargo, and so his intentions and  
25 which he had mentioned earlier, with the efficiency of his crew --

1 he had a new crew and he wasn't happy with their movement on deck  
2 and letting go. And it was a constant -- I wouldn't say -- he was  
3 not berating his crew but he was making comments about how  
4 inexperienced they were. He had inexperienced mates and their  
5 movements were not to his liking, I could tell.

6 So I said to the captain that with all the considerations of  
7 trying to accommodate his getting alongside, I said, I'm willing  
8 to come alongside at 4:15 first line, we'd have enough water under  
9 the keel, my calculations, and I'd like to start having the crew  
10 on deck ready to heave at 3:45. And I asked him -- or he  
11 mentioned it without me asking him. He says it's about -- he felt  
12 that it was appropriate for him to say this because it was a quick  
13 -- sometimes anchor windlasses take quite a while to heave in the  
14 chain of the anchor. He says at about 6 minutes per shackle. So  
15 I figured 6 with 5, that's 30 minutes.

16 I typically -- all my jobs I try to make an effort of being  
17 30 minutes before departure or a vessel underway, so I have  
18 preparation time to be able to ascertain all the information I  
19 need to maneuver the vessel. So when I calculated 3:45 crew on  
20 deck, I thought well it will be a little after 4 o'clock, and 4:15  
21 we'd be alongside.

22 It's only -- we're only just over 5/10ths of a mile from the  
23 berth so it's not very far. I calculated maybe a 15, 20 minute at  
24 the most movement of the ship to the berth for first line. So I  
25 figured if we're underway just after 4 o'clock, 4:15, that would

1 get us before 4:30. It seemed satisfactory and safe.

2 I went to the pilot room after I finished with everything  
3 with the captain, went and laid down, and I was -- and the room  
4 was clean and adequate. I read for a while and then, at 10:25, I  
5 turned off the light and I rested in the room until my alarm set  
6 me -- alerted me to wake up at -- I got the wakeup call at 3:22.  
7 I wanted to allow myself enough time to get prepared to be up on  
8 the bridge.

9 I came up on the bridge at 0338 roughly, approximate, and I  
10 asked -- he says, everybody's on deck ready to go, pilot. I said,  
11 well, that's great. And said I'd like to get a cup of coffee and  
12 just get things started. I looked at the equipment; the radar was  
13 set that I thought was proper. It looked like I had left it that  
14 way, and the ECDIS. Tugs were in vicinity.

15 And so he says, can we start heaving? And that's within  
16 pretty quick of being on the bridge, and I didn't see any concerns  
17 to say why not, so, yes, captain, go ahead and start heaving. I  
18 asked for the pilot card. It wasn't in the vicinity; it was a  
19 different mate that had been on the night before.

20 It seemed like there was a few moments of question of where  
21 the pilot card was, which I like to access, and then I also  
22 reminded the captain he needed to sign the state of Washington  
23 safety card that we would give to every captain for every time we  
24 move a ship. I have those in my possession, so you have that if  
25 you need it right now, which shows that the ship is safe under all

1 conditions, the state of Washington's requirements and Coast Guard  
2 safe to maneuver.

3 I asked the captain to come back and sign the card. He  
4 signed the card within a short time. I'm not quite sure but it  
5 seemed a little -- I was surprised to hear that the -- he said the  
6 anchor's clear and we're underway. And I just don't recall if he  
7 said -- I typically ask, give me the way the chain is tending and  
8 how many shackles are on board so I can know what I need to do if  
9 I need to maneuver the vessel to take a strain off of a chain  
10 because it's got, you know, a long lead or something.

11 I didn't hear or recall him giving me specifics of the  
12 shackles coming in as they came on deck. I was surprised.  
13 Actually I think the word would be a little more shocked that he  
14 was all ready to go. And I have in my note, on my note -- on my  
15 taking notes of time, there's 0353 I have on my note for anchor  
16 aweigh. I don't know if I entered it at that time at that point  
17 or I asked the mate later what they had for anchor aweigh, because  
18 sometimes they'll refer to that after the situation. It was black  
19 and dark and limited, so --

20 Anyway, I'm looking at the conditions. The wind was out of  
21 the northwest. I can look at the stacks; they have lights showing  
22 up on the refinery. The wind was showing that the stack was --  
23 the smokestack of the exhaust and the smoke was laying down and  
24 that's, on my experience, shows that it was more than 10 knots  
25 maybe closer to 15 out of the northwest. This is the information

1 I'm taking into my process of moving the ship in.

2       So the tugs were made up shortly after the anchor was aweigh,  
3 same position, *Garth* on the port. Excuse me, not the same  
4 position. The *Garth* was on the port bow, same chock. I asked the  
5 stern tug, the *Lindsey Foss*, if he would -- if I could put him on  
6 the transom, which I prefer, and he said, fine. Transom, which is  
7 the stern of the ship. And then I asked him if he could have any  
8 difficulty maneuvering to the side of the vessel, the side shelt,  
9 on and off the berth, and he said there would be no difficulty.

10       Two different operators. I knew the operator on the *Garth*  
11 *Foss*; I did not know the operator on the *Lindsey*.

12       Underway, starboard rudder dead slow ahead. I set up my EBL  
13 on the radar to a 005 heading so I'd have a bearing because I knew  
14 it was 345. I always like to have an angle on the pier to make  
15 sure that I -- that's my angle, it's usually on the north end of  
16 the pier. But with the position of the ship so far to the west, I  
17 knew with the current I needed to head more on an easterly course  
18 to be able to set up and turn the ship, so I'm side -- you know,  
19 basically a couple ship lengths off, and then turn the ship at  
20 that position to come alongside. Those are the thought processes  
21 at the time.

22       The typical speed for me would be to get up to a 3 to 4,  
23 maybe a little bit more knots, just to get her to get her to come  
24 around with the steerage especially, and then reduce the speed as  
25 necessary. My whole operation on these berths, especially up

1 maneuvering in tight quarters where I have to change the direction  
2 of the ship according to the azimuth of the berth, the stern tug  
3 is used -- quite often I use the stern tug as a braking mechanism.  
4 So my anticipation is that I was going to use the *Lindsey Foss*.

5 I can't remember if I talked to him, but that's what they  
6 normally do, and I didn't think about asking him or I don't recall  
7 if I did. So we're heading on -- I don't recall if I gave a  
8 course to the helmsman or I was steering the ship by rudder, but  
9 it was approximately 050 was the heading of the ship.

10 I went to dead slow ahead, evened out -- I steadied up the  
11 course to that heading area, slow ahead just to kind of get her  
12 going, and then got her on that course and stopped the engine.  
13 I'm not sure where in the process timewise but it was shortly  
14 after that.

15 I had mentioned to the *Garth Foss* that I figured that -- you  
16 know, my words to him were anticipate pushing toward the dock  
17 because I will be giving -- I was basically letting him know what  
18 position he should be on coming alongside. My intentions were to  
19 go on hard port maybe -- and give the ship a kick ahead to be able  
20 to maneuver the stern toward the berth, and the tug would be in a  
21 position to be able to hold the bow from going to port, so if the  
22 ship maneuvered to port on the bow, I didn't want to maneuver  
23 where she'd come off too far off the berth and then I have to  
24 breast in.

25 I'd been in this berth before; I brought up a ship in October



1 from Vendovi Anchorage up to here. Different conditions only for  
2 the fact that it was a lighter ship; she was in ballast. But  
3 my -- it's always been one of these approaches to this berth is  
4 that you don't want to be too far off because you have a lot of  
5 current and area to push against.

6 I'm on stop. I'm looking at the pier. The pier has well-lit  
7 on all the main apron. I see the pier. I'm using that as my  
8 gauge for distance. My experience is I like to be looking out the  
9 window. I have pretty good -- I have a good feel for looking at  
10 the distance; I can ascertain distance through my experience.

11 I also looked at the speed, I noticed that it was getting  
12 close to 4 knots but it was -- excuse me -- just go back a little  
13 bit. I gave a hard to port because I thought this would be about  
14 two ship lengths off at my distance off visually. I gave a hard  
15 to port, dead slow ahead, stopped the engine, looked at the speed,  
16 it was, I believe, 3.9 knots.

17 Something didn't feel right. I don't know all the  
18 information that's up on the bridge, that it just was not a  
19 specific thing that gave me pause or concern. I guess what I'm  
20 looking at is something didn't look right. I stepped out to the  
21 starboard wing. From my position to the starboard wing this may  
22 be about 60 feet. The beam of the ship is 118, so it's -- you  
23 know, you can split that and I'm just rough guess. I briskly  
24 walked out there because I felt there was something different.

25 I can't see anything on the starboard wing. It's black,

1 there's no -- I can see the pier as far as the shack, you know,  
2 the operation systems and all that. I can see that but I can't  
3 see the port side and any -- I expected to see the starboard --  
4 the mooring dolphin on the south end of the pier. I think that's  
5 what I'm expecting. I can't see anything. I asked the captain,  
6 Captain, what is the distance off the pier? I hear him ask the  
7 mate on the bow with his radio, because I don't recall if he even  
8 came out to me or he's standing at the door, but enough where I  
9 could hear him asking.

10 I hear 40 meters. It was -- my first action is tell both  
11 tugs, both tugs away full. Captain -- I may have said slow astern  
12 on the ship engine first just to get in direction, because  
13 sometimes with diesel ships a full is an unusual command and I  
14 found with experience it may not get the air to the engine or the  
15 start, the electric start that you want.

16 So I think I start with slow astern and then said full  
17 astern. Captain, how much distance off the pier? Ten meters.  
18 Told the tugs again, you've got to give me everything, full away.

19 And I heard one tug, I don't know who it was, was saying  
20 we're giving everything we can or we're max, we're -- something to  
21 confirm what they were doing. Captain, full astern, full astern.  
22 I may have said that more than a couple times. Captain, how much  
23 distance off the pier? Ten meters. We're still -- I can't  
24 remember if that was what I already said or not. But, anyway,  
25 we're getting -- the distance is closing.

1       My whole mind-set is I believe I can -- my positive thought  
2 is I should be able to stop this. I should be able to stop this.  
3 I could not validate the engine, by the way. My position there  
4 was no meters. The meter for the engine direction of propeller  
5 was out in the very far starboard wing.

6       I'm kind of between the edge of the bridge wing on the  
7 starboard side and the pilothouse. I'm kind of in between there  
8 so I can see along the hull or forward, but I didn't want to be  
9 too far from being able to communicate with the captain because he  
10 was not on the bridge wing, he was inside on the bridge. Like I  
11 said, I expected to see something on the starboard wing.

12       Oh, when I asked for distance off, 40 meters, there was one  
13 other observation I do want you to know about. I saw personnel  
14 running off the pier past the operations center. Then I knew -- I  
15 mean, this is obviously a serious situation I'm doing. This is a  
16 response of trying to eliminate an issue. So I was asking  
17 distances, and I don't know if I asked or heard on the -- says  
18 we've hit the pier or hitting the pier. Okay.

19       And then about this time is right when I noticed that the  
20 lights are starting to look like I've stopped and maybe making  
21 astern way. I don't have any equipment on the bridge wing to  
22 ascertain speed over the ground or the ship's position, but I'm  
23 using the shore lights and relative bearings of anything that  
24 would be helpful for me to ascertain what direction the ship was  
25 moving.

1       She started going stern first, sternway. I stopped the  
2 engine, asked the captain, what's the situation, what's the  
3 condition? My mind-set is that we touched it; I'm expecting to  
4 hear some broken piling. I hear something in regards similar to  
5 this, is that it's over or it's knocked over or something like  
6 that.

7       And I stopped the tugs or -- no, I stopped the stern tug.  
8 I'm still using the bow tug to pull the stern to port. I give  
9 ahead on the ship's engine. I'm in communication with the man on  
10 the pier, the line operations, and I'm asking can we still come  
11 on, I'd like to come on, or is it -- are we able to come  
12 alongside, something similar to that. And he says, no, there's no  
13 stern dolphin, there's no stern dolphin, tie-up dolphin. Then I  
14 know it's developing into a very serious issue for me, yeah,  
15 information-wise.

16       I maneuver the ship away from the berth, and when I'm coming  
17 past the berth with the ship, on my starboard wing I can visually  
18 see that there's catastrophic damage to the mooring dolphin. And  
19 everything else from the mooring dolphin to the north, I don't see  
20 any damage, so -- but I'm not really paying attention to that  
21 because what I wanted to do is make sure the ship is steered away  
22 from the berth and we're going to a position of ascertaining  
23 damage.

24       I'm headed in a westerly direction. I slow the speed. I get  
25 up to maybe 10 knots just to keep her away from the pier. I let

1 go of the bow tug and I ask the operator up there -- do you want  
2 his name or is that important? Because I'm asking them first  
3 names. I'm telling him -- his name is Sam.

4 Q. Okay.

5 A. I know him from many numerous times before.

6 Q. Which tug was this on?

7 A. It's the *Garth Foss* on the bow.

8 Q. Okay.

9 A. I tell the captain we're going to let the bow tug go. I tell  
10 the *Garth Foss*, I said, Sam, I'm going to let you go. I need you  
11 to come around and take a look to see what you have for damage.  
12 I've asked the captain is there any damage. The crew can't see  
13 from their vantage point if there's any damage.

14 Let the tug go, and I asked him to please take pictures and  
15 give me information about what he sees. He goes from one side to  
16 the other. I actually tell him, I said, you let me know if the  
17 speed is too fast. I've got her down to maybe 3 or 4 knots, I  
18 don't remember, but I did have to make sure that I didn't want to  
19 -- him to be in any concerns about maneuvering around the bow of  
20 the ship when I'm headway.

21 While he's ascertaining what information to pass on to me,  
22 I've called the Seattle Traffic on my cell phone. I start to tell  
23 them that we've struck the pier, we're -- you know, as far as all  
24 this conversation now it's a little bit of more speculation than  
25 exact facts, but I do know that I was making phone calls, I was

1 getting calls back. All this information coming through, the tug  
2 did tell me that it appears that there was a scrape of paint, a  
3 slight crease, it's hard for him to ascertain but it doesn't  
4 appear to be major damage. That's my word "major." He said, it  
5 appears to be a crease on the port bow about 40 to 60 feet long,  
6 and I'm pretty sure I asked, do you see any punctures or any  
7 breach of the hull? No; he said, no.

8       It did surprise me to hear port side. I startled -- I  
9 wouldn't say startled but it was surprise because I anticipated  
10 that would not be the side I would be in this dolphin. He's  
11 giving me information, I'm contacting Traffic, I'm getting calls  
12 back on my cell phone. It's captain's dealing with stuff. I'm  
13 sure I'm going unbelievable, unbelievable, a few times. I know  
14 I've said that more than once up there. These are not comments to  
15 anybody in general, but I'm back in the steering -- back in the  
16 navigation area of the vessel. I'm using the ECDIS and the radar  
17 to keep safe position of the ship.

18       I did look back at the pier just a few times for reference  
19 and the lights were all the same as before. Yeah, couldn't see  
20 them, I was so far from the pier. Now I had no more communication  
21 with the dock. Within a short time after the *Garth Foss* give me  
22 the damage on the bow, I either heard the captain or heard  
23 somebody say we're taking water or we're -- the alarm is going off  
24 in the forward ballast tank.

25       I asked the captain or there was one of these concerns of

1 trying to get information, Captain, where is it? And he's sitting  
2 at -- in a console behind the bridge. It's a working station and  
3 they have an electronic schematic of the ship, and I came back to  
4 look and it's not on the forepeak, it's the bow -- it looks like  
5 the -- he said the bow ballast tank. But it looks like it's the  
6 second tank back or the forward ballast tank but not the forepeak.  
7 I could see on the -- now, the schematic may not be accurate to  
8 dimensions to the ship, but there's a meter that shows an alarm  
9 and then it shows also the level of water in the tank. And at  
10 that time when I looked at it, it was 1.3 or 4 meters.

11 And so he's working with the crew to get ballast tanks,  
12 ballast pumps working. I did call Traffic and told them that we  
13 appeared to have a breach of the hull and we're ascertaining any  
14 other issues. It took a few minutes because I asked the captain a  
15 couple times, I was asking how's everything on that ballast tank.  
16 He says he was having trouble getting suction on the first pump  
17 and they were getting the second pump active.

18 I don't know how much time went by, but at least -- I believe  
19 it was around 4 or 5 minutes, maybe not that long. Time is quite  
20 -- I have to pause just to say I don't know how much time. But  
21 there was a period of time then I understood the second pump was  
22 working and I heard the engineer call on the radio saying, we're  
23 holding the water or it stopped or -- and I went back to look and  
24 it was 2 meters. I said, Captain, is everything okay or something  
25 reassuring? He says we're waiting to see. He says, I think we're

1 okay, or something just to give me a little bit of -- I felt, you  
2 know, some pause that, okay, at least we've got this under control  
3 to a certain degree.

4       Within a few moments after that, the level was starting to  
5 decrease. It was down to 1.7, you know, roughly 1.8. So we were  
6 getting ahead of the water, the incoming water. I was trying to  
7 get confirmation from the Seattle Traffic what to do with the  
8 ship. I was trying to make suggestions, I would like to go to an  
9 anchor, and they said stand by.

10       Then there was -- getting ahead, communicating. Then they  
11 ordered me to say go ahead and go to anchor in the general  
12 anchorage off of Neptune Beach, which is just to the southwest of  
13 this pier and just kind of south -- well, west, southwesterly  
14 position off of the Phillips Pier.

15       The time that we were doing all this -- ascertaining damage,  
16 waiting for Seattle Traffic, I was literally doing maneuvers  
17 around the ship, staying in the general anchorage area, because I  
18 figured that was the safest place to put the ship. Not knowing  
19 what the extent of the damage was, I didn't want to be steaming  
20 somewhere else.

21       They actually told me at first to go to Vendovi Anchorage and  
22 I said I'd rather not; I think that I'm better to stay here. So I  
23 still had the tug on the stern. At this time we were maneuvering,  
24 I had him -- I think I let go of the stern tug. I don't think he  
25 was still tethered somewhere in this time frame. Both tugs are



1 standing by.

2       When Seattle Traffic told me to go ahead and go at anchor, I  
3 maneuvered to a position. It's deeper there, it's about 55  
4 meters, so that's about almost -- it's 50 meters, if I can  
5 recollect my mind as far as -- 50 meters.

6       I had told the captain we will anchor but we will keep in  
7 gear the whole time because it's too deep to let go of the anchor.  
8 So we will use -- what anchor do you want to use? He said port  
9 side. Fine, go ahead. We worked out a shackle at a time, finally  
10 got it on the bottom, maneuvering the vessel. It seemed like the  
11 set was a little bit stronger than I expected for what I  
12 anticipated for my position and the direction of the current and  
13 winds.

14       The winds weren't that strong, maybe 10 knots, still out of  
15 the northwest. Current still flooding, so I knew that was a  
16 factor. I had the tug on the port quarter stand by, because when  
17 I was backing down the ship I wanted to make sure that when she  
18 backs to port the stern that I could hold her and stretch the  
19 chain in a -- stretch it out so the bow is still towards -- to  
20 east. I wanted to back it out into the current and have her set  
21 up for the current.

22       Each shackle came out. He was telling me and I kept asking,  
23 you know, captain, I want condition of the chain, what's the link,  
24 what is the chain reading? I got about -- I said, I want about --  
25 I think I told him -- I said we will end up with 9 shackles in the

1 water, Captain. And then also said that 5 shackles, we will hold  
2 it and then we'll stretch the chain to make sure we stretch the  
3 bottom of the chain or the scope of the chain, so it's stretched  
4 out and not piled on. I didn't say all that but that's my thought  
5 process. We'll hold at 5 and stretch the chain and he'll let me  
6 know when the chain starts to come moderate strain, moderate  
7 tension.

8       Where's the direction of the chain? I heard on the bow 7  
9 o'clock. And I'm looking at this, I'm going that's not possible,  
10 7 o'clock. I figured it had to be going astern because I'm  
11 looking at the speed, and then I recognized that the speed input  
12 for the radar in ECDIS was water speed not GPS. I changed the  
13 input of the radar to GPS, recognized that that's why the  
14 information I was getting the whole morning was not what I had set  
15 up the night before, which I had for GPS it was water speed, it's  
16 totally different information that I was relying on.

17       We backed the ship up more, got 9 shackles in the water, had  
18 the captain take the starboard anchor. When they were finished, I  
19 had them engage it, back it down to the edge of the water, put it  
20 in emergency situation for a let-go if necessary. I did not check  
21 out of Seattle Traffic. I told them we were secured securely at  
22 anchor. I told them we will not check out at this time. They  
23 said, you will be checking out -- are you checking out? And I  
24 said, no, I'm not checking out, we're standing by. Both tugs are  
25 standing by.

1           So then the protocol calls were made starting -- we made, and  
2 as far as I did go back and ask the captain about the ballast.  
3 The captain spent a lot of time back on his console. He was not  
4 really -- he was up -- when we were doing the anchoring he was  
5 there, but he was doing a lot of step back to his working station  
6 in the aft to the bridge to see how the bow's tank was. We -- it  
7 was starting to get light now, so we're watching everything.

8           I did ask, and I think that the Coast Guard also asked, is  
9 there any other alarms going off on the holds, any other tanks?  
10 No, no alarms. I asked the captain or he confirmed everything's  
11 fine. We were down to less than 1 meter on the ballast tank so  
12 we're getting ahead of the seawater, it's under control.

13           A short time later -- I know that one of the requirements we  
14 have in an incident is to try to get the pilot relieved as soon as  
15 possible. Also in my mind is the fact that we have requirements  
16 of federal law for drug and alcohol testing. So I was making  
17 efforts to try to accomplish that. I did get ahold of my working  
18 president with Puget Sound Pilots, also with the dispatch.

19           There's a level of communication going on away from me. I  
20 don't know who was all taking care of what. There was comments  
21 being made, I'm sure will come up in the video recorder, but it's  
22 more of unbelievable, unbelievable. I know I said that more than  
23 a few times. I don't recall anything else specific. The captain  
24 did ask what happened, and I do recall saying the wind and the  
25 current, Captain. And that's all I said, I felt in a professional

1 manner and also not to get into a confrontational manner.

2 I know everybody wants to keep their position, and so I felt  
3 it was extremely important that I did not say anything about the  
4 situation or to confer with the captain about the situation. I  
5 got a call back; a pilot was on his way to relieve me. I talked  
6 to the tug, the *Garth Foss*, asked him if he would be willing to go  
7 over to ConocoPhillips, which is the south berth there, and be  
8 able to launch the pilot out when he arrived. He said he would.

9 I also understood that the *Lindsey Foss* was under a condition  
10 of having to go assist another tanker in Port Angeles, so I'm  
11 trying to help their situation to get to -- because the polar ship  
12 going from Port Angeles was under a tidal condition situation.  
13 They could only come into Anacortes in a window, and he needed to  
14 get out there to escort her out of Port Angeles. So I'm trying to  
15 help that captain and his next job, and I'm constantly asking if  
16 we could relieve the *Lindsey* to be able to go do a job.  
17 Everything seemed so safe and everything, and they said no.

18 So the *Lindsey* was standing by. The *Garth Foss* went and got  
19 the pilot off the pier. Captain Ivan Carlson from Puget Sound  
20 Pilots came out, came on board the bridge. I asked him if he  
21 wanted to go over at the time. He did; conferred with the  
22 captain. I told the pilot all the conditions, the situations at  
23 that moment. He relieved me of the conn, I don't recall the time.  
24 It's an approximate so I won't comment.

25 I went back in the stateroom where I had stayed the night

1 before and started to sit down and tried to make notes and, you  
2 know, tried to keep fresh for information that would come to me so  
3 I know how important it is to have as much data to back up the  
4 issue. I did confer with another pilot on the phone. He  
5 contacted me. We had an attorney advise me to --

6 MR. McLEAN: Just one second.

7 MR. HENSHAW: Yes.

8 MR. McLEAN: To the extent I think what he's going to say is  
9 that an attorney advised him not to take the drug test on the ship  
10 but to wait until he got off. So, again, I don't want you going  
11 into anything beyond that in terms of what his attorney said.

12 MR. HENSHAW: The Coast Guard did say on the phone they  
13 wanted the crew to be drug tested. I didn't say anything to the  
14 Coast Guard but I told the captain the Coast Guard requires you to  
15 have drug testing and to save all your equipment. They're asked  
16 also recording equipment to be saved.

17 And the attorney that was on the phone, which I had already  
18 known from my experiences, is that the pilots organizations  
19 throughout United States have come to a consensus of not relying  
20 on unknown equipment to do testing because we can't validate if  
21 the accuracy will be to our advantage or disadvantage. And so  
22 there's been an understanding, which was in my head, that we were  
23 not to allow the crew on board to give us any kind of drug  
24 testing. And so, and I didn't ask the captain or tell him I was  
25 not going to; that was not discussed. So but I did mention

1 numerous times on the phone to the Coast Guard about how important  
2 it was for me to get ashore, because I know there was a 2-hour  
3 breathalyzer requirement of any incident.

4 I asked. We did get a launch arranged to come up to relieve  
5 me, if possible. I come up from Anacortes, which was going to  
6 take an hour and whatever the time frame was. I asked the *Lindsey*  
7 *Foss* or one of the tugboats, I can't remember which one, if they  
8 could launch me over to the shore and they said, yes. But when I  
9 tried to get the Coast Guard to agree to it they said, no, both  
10 tugs needed to be alongside.

11 And I asked them -- I mentioned somehow, somewhere did they  
12 need to be tethered or have a line on? Nobody could say yes or  
13 no. I just didn't get an answer.

14 So they would not -- I couldn't go ashore to get, you know,  
15 relieved. I was relieved but I could not go ashore. The launch  
16 got up to the vicinity of the vessel about 10 o'clock. I told the  
17 pilot -- I told the captain I was leaving the ship. There was no  
18 conversation with the captain. Got on the launch, went to  
19 ConocoPhillips facility and I ashore at 10:20.

20 The previous hour and half or 2 hours or more, the office, my  
21 office had made arrangements for a drug and alcohol test person to  
22 come and administer the testing. I had been in communication with  
23 him. He was coming from Seattle. We met in Bellingham at a hotel  
24 and he administered the tests.

25 I figured once the tests were completed I believe there was

1 more of just this, okay, now it's time for reflection. I don't  
2 know what other word to use.

3 There's nothing else at this standpoint I think I'd like to  
4 comment about. Everything else it's my -- it will -- I think  
5 that's all I need to say.

6 CWO [REDACTED] Well, thank you, Captain. What we're going to  
7 do now is probably I'll start off and then we'll go around the  
8 room and just maybe ask for some clarification on certain points  
9 or maybe just a couple things that we are interested in.

10 BY CWO [REDACTED]

11 Q. Was there -- were you aware of any kind of problems with the  
12 vessel's propulsion equipment?

13 A. No.

14 Q. Okay. You said that you did the master-pilot exchange, and  
15 you have the records for that?

16 A. I do. The initial -- on board the ship was the initial  
17 pilot-master exchange. We talked about the let-go and then also  
18 coming back. It was -- you know, my master-pilot exchange is  
19 usually conducted during a time frame, it's not just specifically  
20 within a small window. One of my ways I've always done with my  
21 master-pilot exchange from the time I'm on the ship to the time I  
22 get off, it's constant. So, yes, I did do a master-pilot exchange  
23 and it was over a period of time.

24 Q. During this exchange did you let the master know that you  
25 wanted the speed to be represented by the GPS versus the speed

1 log?

2 A. Did not.

3 Q. Okay. Let's see here. At the time during your approach to  
4 the facility was there any kind of distractions that you were  
5 aware of that were causing distractions to you?

6 A. No.

7 Q. Okay. Are you currently on any kind of prescription  
8 medication or were you at the time?

9 A. Yes, I am.

10 Q. Okay. What would that be?

11 A. Well, I have -- if I say the words I'm not very good with  
12 medications.

13 Q. Sure.

14 A. They're just to monitor high blood pressure. It's just up to  
15 -- it's doctored -- I mean, it's all, it's -- I don't, you know, I  
16 just don't recall them right now.

17 Q. Okay.

18 A. But, yes, I have, and my doctor can provide that.

19 Q. Okay.

20 A. But it's been years ago and I'm on these medications and it's  
21 all -- but I can't recall right now.

22 Q. But you're currently on the medications?

23 A. I am.

24 Q. Are there any side effects to the medications that are  
25 labeled?



1 A. No, there are none. Not that I'm aware of.

2 Q. Okay. Would it be possible to get that in the future,  
3 though?

4 A. Yes.

5 Q. Okay, thank you. Any hearing or vision restrictions?

6 A. No.

7 Q. When was -- prior to going out to the facility, getting the  
8 vessel underway and bringing it back, when was your last job?

9 A. The previous job was on a TOTE ship the *Midnight Sun* from  
10 Port Angeles to Tacoma. That job was, I believe -- give me a  
11 moment here. It was off -- I was off the ship at 1815 in Tacoma  
12 and I was home after stopped -- I needed to see somebody  
13 concerning an issue and got home about -- I think I went to bed,  
14 if I recall, it would have been around 2315 -- excuse me -- 2345.

15 BY UNIDENTIFIED SPEAKER:

16 Q. That's what time you went to bed?

17 A. I did.

18 Q. Okay. And what day was this?

19 A. It was Saturday.

20 Q. Saturday.

21 A. No, the day before this job.

22 Q. Okay.

23 A. Saturday I was on board so it would have been Friday night.

24 Q. Okay.

25 A. Friday night. I don't have my calendar in front of me.

1 BY CWO [REDACTED]

2 Q. Do you utilize the portable pilot unit?

3 A. I do sometimes.

4 Q. Okay. Did you utilize it on the night of the incident --

5 A. I did not have it with me.

6 Q. -- or the morning?

7 A. No.

8 Q. Okay. How do you decide when you're going to use it and when  
9 you're not going to use it?

10 A. Every job dictates if I use it or not. I was just in there  
11 for recent -- earlier in October with a very similar situation,  
12 two jobs. I guess I take every job and ascertain. Sometimes --  
13 generally I have it with me. It's a general asked question, it's  
14 a general response. I don't mean to be vague, but every job is  
15 usually -- I use my judgment to decide if it's something I'm going  
16 to use. I use it for the majority of my jobs but not all of them.

17 Q. Are there any benefits to using it?

18 A. Yes, there are times -- yes, because sometimes when I'm on  
19 some ships that I get on I think there's a concern that I might  
20 not have the best equipment. I always try to -- feel that with  
21 tankers, especially, they usually have the best equipment, and so  
22 -- and with the ECDIS being required on all navigation ships  
23 coming into Puget Sound, I find that the equipment on the ships  
24 usually are superior to mine.

25 I believe that -- I believe strongly that -- which was a

1 comment made, and I think I've kind of kept this in the back of my  
2 log head all these times, was that when you have hundreds of  
3 thousands or millions of dollars' worth of ship's equipment, very  
4 good usually, my computer is being jostled by heaving lines and  
5 crew and up and down the side of a ship from pilot boat, I can't  
6 always find that my laptop would be the most reliable one. I know  
7 I can rely on the ship's equipment.

8 Q. Okay. Was your portable pilot unit, did you utilize that  
9 during the mooring you did at the same facility in October?

10 A. Yes.

11 Q. You used it?

12 A. I did.

13 Q. Okay. And was there a reason that you didn't think that  
14 their equipment was adequate?

15 A. I was going a different distance; I was going from Vendovi  
16 Anchorage.

17 Q. Okay.

18 A. And so going up through and dealing with movement of ships  
19 going through a special operating area, which is Rosario Strait,  
20 and also on the special operating area of the areas in the Vendovi  
21 Anchorage area north, I find that that's an area that was probably  
22 more prudent for me at that time to use.

23 Q. Understood. Let's see here. Does the pilot's association  
24 provide you with a phone?

25 A. No.

1 Q. Okay. So you use your personal phone for --

2 A. I do.

3 Q. Okay. Who's your carrier for that?

4 A. It's Verizon.

5 Q. Verizon, okay. You said that you had met up with the drug  
6 and alcohol test collector?

7 A. Yes.

8 Q. What time did you receive your alcohol test?

9 A. It was roughly 11:15.

10 Q. 11:15, okay.

11 A. I have the paperwork in my bag.

12 Q. Okay.

13 A. In my suitcase. And also to verify for you that the alcohol  
14 test was zero and he showed me the reading, and then the drug test  
15 was submitted to the Puget Sound Pilot Office yesterday and also  
16 it was negative.

17 Q. Okay. So the Puget Sound Pilot Office has your results for  
18 your test right now?

19 A. Yes.

20 Q. All right. Let me just take a moment to review my notes and  
21 see if there's anything else that I want to ask real quick.

22 When you switched over from the speed log to the GPS, did you  
23 make any kind of mental note on the differential between the two?

24 A. If I said it, I said it out loud going -- a comment out loud  
25 was surprising. I did not expect the setting to be changed,

1 because when I left the terminal to anchor, and most ships, I  
2 can't recall of this happening before, that generally -- usually a  
3 ship is aware that if a pilot's using the equipment they leave it  
4 alone.

5 Q. You stated that when you went to anchor after the event --

6 A. Yes.

7 Q. -- this is when you realized that there was a difference?

8 A. It's the first time I noticed.

9 Q. Was it switched to GPS at that time or did it remain?

10 A. I switched it to GPS. It was switched from GPS when I had  
11 it, somewhere between the time I heaved anchor it was put on log  
12 speed input.

13 Q. When you switched it, did you notice a difference in the  
14 speed output?

15 A. Yes.

16 Q. How much was that roughly?

17 A. I would say at least a knot and a half, but also the vector  
18 changed on my ARPA.

19 Q. Okay.

20 A. And that's what I was using for direction of the vessel of  
21 the ship. The ARPA is the most critical part of my navigation  
22 because the vector gives me instantaneous information and I can  
23 look at a screen and see a ship's head and see the vector and  
24 notice the direction and length of vector to know what the  
25 vessel's doing immediately.

1 Q. And approximately how much did that shift?

2 A. It's --

3 Q. I know it's hard to say off the screen in inches.

4 A. Well, you know, it shifted measurably.

5 Q. Measurably, okay.

6 A. Because it showed from before I was showing sternway and when  
7 I changed it, it showed that I actually had headway of the ship.  
8 So that was -- made all the sense, the wide -- the tending of the  
9 chain was astern at 7 o'clock instead of where I figured it should  
10 it should have been 4 to the beam or 4 to the 9 o'clock.

11 Q. It'll just take a moment. When the *Foss Garth* did the damage  
12 assessment was it just the assessment of the vessel or did he take  
13 a look at the pier as well?

14 A. He did not take a look at the pier that I'm aware of. I did  
15 not ask him. He was still lined up and pulling away from the pier  
16 so there's no -- if -- I did not direct him to do anything about  
17 that. I don't believe in my position where I think that he could  
18 have done anything. If he did, it was visual from his standpoint.  
19 I don't know what he saw or did.

20 Q. Okay, understood. Did you hear any sounds during the time of  
21 the impact?

22 A. No.

23 CWO [REDACTED] No, okay. I think that's all I have for right  
24 now. I'm going to pass it on to the NTSB. Do we need to take a  
25 break at all?

1 MR. HENSHAW: No, not from me.

2 CWO [REDACTED] Okay.

3 UNIDENTIFIED SPEAKER: No.

4 BY MR. TUCKER:

5 Q. Hi, Cap.

6 A. Hello.

7 Q. My name is Adam with the National Transportation Safety  
8 Board. A couple follow-ups and probably a couple follow-ups after  
9 that, so --

10 A. Okay.

11 Q. We were talking about the PPU and some of the questions are  
12 going to be dumb questions, curiosity as well.

13 A. Yes.

14 Q. I'm not a pilot; I'm not familiar with these areas. I may  
15 ask you to help me -- help explain or understand the maneuvers --

16 A. Yes.

17 Q. -- and the challenges that you face with the current and the  
18 winds, as you had mentioned. The PPU, I know you didn't use it,  
19 understand the circumstances for the not using it. Curiosity is  
20 this, how does the PPU work with the Puget Sound Pilots? Is it  
21 plugged into an AIS port and --

22 A. It -- there's different ways of using the PPU. It's up to  
23 the discretion of the pilot. But we also are -- the pilot office  
24 has given us equipment, including a GPS receiver, and then we use  
25 a gyro repeater that plugs in. So that way you can take a GPS

1 reading from the bridge wing and gives you position. So if you  
2 want to have a rate of turn indicator on your PPU, that's one of  
3 the assets of that position.

4 I typically use just a straight plug-in with my wireless  
5 receiver and it transmits to my -- and it's, like I said, wireless  
6 but strictly into -- and all the ships have a pilot plug.

7 Q. Okay. And it's a laptop; it's not a tablet, the PPU? Is  
8 that correct?

9 A. It's a laptop.

10 Q. Okay. And the software you use?

11 A. I don't know.

12 Q. Okay.

13 A. If you're going to ask me a lot of technical I'm --

14 Q. Nope.

15 A. -- a dinosaur.

16 Q. No problem.

17 A. I turn it on.

18 Q. Yeah.

19 A. And I try to think that it's -- the less I use it, the better  
20 for me.

21 Q. Yeah.

22 A. It just means that I'm not goofing it up.

23 Q. Okay. The curiosity was --

24 A. Yes.

25 Q. -- again, just my background, you mentioned rate of turn.



1 A. Yes.

2 Q. Does the PPU, does it provide that tick?

3 A. No. Not, well, not on mine, because I use -- I do not use  
4 that function. I use the ship's rate of turn.

5 Q. Okay. And to that point, you mentioned when you were on the  
6 bridge, when you had no indications out there.

7 A. Correct.

8 Q. Can you elaborate, like where in other vessels and other  
9 tankers would you have indication out there?

10 A. Well, it was there but it was not in my position.

11 Q. Okay.

12 A. Some of the ships, on a bridge wing the dial's showing  
13 direction of either propeller or also they'll have an indicator of  
14 what the maneuver of the ship's telegraph is.

15 Q. Okay.

16 A. And usually it's above the pilothouse door going in from the  
17 bridge wing. This one -- sometimes tankers will be out on the  
18 very extension of it, close to the side of the ship.

19 Q. Okay.

20 A. And that's why -- well, I mentioned when we were getting  
21 underway, I was looking for it and the captain pointed it out and  
22 it was actually kind of low. It's like at my knees or lower, and  
23 it didn't seem like a really convenient position.

24 Q. Yeah.

25 A. That's okay. I mean, I use it and I know where it is and

1 I'll refer to it if necessary. But in my position of trying to  
2 get an understanding of what was happening at this incident, it  
3 was not in a location I could readily look at.

4 Q. Okay.

5 A. I was not on the bridge wing because I wanted to be in  
6 communication with -- because the captain was not on the bridge  
7 wing with me.

8 Q. Okay.

9 A. He was on this bridge. And so I wanted to make sure he could  
10 hear me. I just felt that was the best position at the time.

11 Q. Okay. And to that point, we spoke of the bridge equipment  
12 and just wanted to go to the bridge team.

13 A. Yes.

14 Q. So we talked about the training. Do you have to do any type  
15 of bridge resource management?

16 A. We have it for pilots, yes.

17 Q. BRMP?

18 A. Yes, and that's periodic. I think it's every 5 to 6 years or  
19 so. I just -- I can't recall the last one I had.

20 Q. Okay.

21 A. But we have one specifically for pilots.

22 Q. Okay.

23 A. Yes.

24 Q. And just in a general sense, I'm going to ask you now; you've  
25 been on a lot of tankers, it sounds like?

1 A. Yes.

2 Q. A lot of cruise ships.

3 A. Yes.

4 Q. You've got a background as a pilot. This bridge team --

5 A. Yes.

6 Q. -- were they communicative to you? Were they providing you  
7 the information and everything that you needed?

8 A. No, they -- did they communicate with me? No.

9 Q. Okay.

10 A. Not one iota. The quartermaster responded on courses or  
11 headings, things like this. They answered -- if I maybe gave an  
12 answer on the telegraph, they would respond with telling me what  
13 it was. Captain was good as far as if I asked information he  
14 would relay it.

15 Q. Okay.

16 A. But did they offer any information, no.

17 Q. Okay. Based on your experience, are you familiar with more  
18 of an offering of information from bridge teams?

19 A. Every ship is different, every nationality is different.  
20 U.S. Flag as compared to foreign flag. This is a multinational.  
21 I always take an interest in finding out where the captain's from,  
22 it's just for conversation pieces, and he was German. The mate  
23 who gave me -- you know, walked to the room, I had a chance to  
24 talk to him off the bridge just saying, where are you from? He's  
25 from Ukraine. Bulk of the crew appeared to be Filipino. There

1 was, I believe, another nationality that I saw on the deck. But  
2 it was multinational.

3 Q. Okay.

4 A. And to answer your question, every ship has a little  
5 different bridge team awareness. You're talking about cruise  
6 ships?

7 Q. Uh-huh.

8 A. They're even inconsistent. You can go from one cruise ship  
9 to another cruise ship, their patterns are not consistent. For  
10 me, the bridge team is there to help the captain and the mate. I  
11 do not rely on the bridge team. I've found that to be --  
12 sometimes their information is either not correct or I don't rely  
13 on it normally. But it's also been on an American ship or  
14 especially, they will offer more information typically and I think  
15 that's just to assure the captain what the situation is.

16 Q. Understood. To that point, we were talking multinational  
17 crews and all that.

18 A. Yes.

19 Q. Did you, with this particular ship, this particular crew, did  
20 you have any communication challenges or difficulties with respect  
21 to language or understanding?

22 A. No. Everybody spoke English and relatively well. I didn't  
23 see any concerns.

24 Q. Okay.

25 A. I do know the captain did comment earlier about the

1 inexperienced part and he was discouraged -- in my opinion, he was  
2 discouraged with their inexperience.

3 Q. Yeah.

4 A. And he commented more than once.

5 Q. We spoke of cell phones as well.

6 A. Yes.

7 Q. And were you using a cell phone at the time from -- basically  
8 from the time you got on the bridge until the contact took place?

9 A. If I used my cell phone, it would have been in my room when I  
10 was laying down only to check status of dispatch or maybe the, you  
11 know, *New York Times* or something. Did I communicate with my  
12 phone? No.

13 Q. Okay.

14 A. No.

15 Q. And communicate, I take that as being verbal?

16 A. Correct.

17 Q. But did you use a phone for any type of -- I don't even know  
18 what kind of phone you have but --

19 A. It's an old Android.

20 Q. Okay.

21 A. It's very archaic, but --

22 Q. Yeah.

23 A. My communication as far as texting or something?

24 Q. Correct, yeah, or checking data. I don't know, checking  
25 weather, whatever, yeah.

1 A. I checked the data before. I may -- I don't recall if I  
2 checked it when I was on the ship.

3 Q. Okay.

4 A. But I did use it before the ship because I always do my  
5 preparation to be prepared so I always can relay all that  
6 information to the captain; that's my job.

7 Q. Okay.

8 A. I want to make sure that they're aware if there's any  
9 concerns or no concerns.

10 Q. Yeah.

11 A. So that's something we can always talk about. But, yes. But  
12 as far as being on board the ship, if I communicated with anybody  
13 before the incident, it would have never been -- there was no text  
14 because of the time of the night and it's only to look at websites  
15 for, you know, my own curiosity or something. I don't know.

16 Q. Okay.

17 A. But not for -- no, I didn't communicate with anybody with it.

18 Q. All right. Curiosity: Does the pilotage authority have any  
19 rules or regulations regarding cell phone use while underway?

20 A. Underway?

21 Q. Or -- and while the pilot is conning?

22 A. We have a new era.

23 Q. Yeah.

24 A. And we find that so much of our business to pilot efficiently  
25 is using a cell phone. It's not only to look at weather

1 conditions and also to keep up with information for tugs, agents,  
2 things like this, linemen. I think the phone is used efficiently  
3 and for navigation purposes of piloting.

4 Q. Okay.

5 A. That's what I'm aware of. If I was going to use the phone, I  
6 always tell an officer that I'm using the cell phone and I step to  
7 the side. And I always tell him, I will have them monitor the  
8 radios because I typically am the one. And so my -- the way I  
9 function when I'm on duty on a ship, if I use my cell phone for  
10 any communication, I always let the mate know that I'm using it.  
11 And if it's for personal, I usually say it's personal, because  
12 with medical conditions in my family, I have to be in  
13 communication with them and that's -- I acknowledge that.

14 Q. Okay. Understood. And to go back on some of my notes here,  
15 I guess -- as you can probably see, I take a lot of notes. I call  
16 it chicken scratch. But you mentioned drafts when you boarded the  
17 vessel.

18 A. Yes.

19 Q. Specifically calculate. Do you do visual drafts as well  
20 or --

21 A. No, never.

22 Q. Okay.

23 A. Well, I shouldn't say never. I'm relying on the captain  
24 being accurate with his information; I don't need to validate it.

25 Q. Okay. Were you informed of the -- you mentioned, I believe,

1 draft was 10.4. Was that forward, aft, which?

2 A. The deep draft was on the stern at 10.4.

3 Q. Aft.

4 A. The forward draft was less; it was closer to under 10. That  
5 wasn't what was important to me because all my calculations were  
6 of the deep draft.

7 Q. Okay. And you mentioned the depth at the berth was --

8 A. Yes.

9 Q. -- just wanted to back up and make sure I capture that  
10 correctly, 32.6?

11 A. 32.6.

12 Q. 32.6.

13 A. Yes.

14 Q. Okay.

15 A. Now generally I'm not a meter man, so I usually transfer the  
16 data into feet and then I can calculate.

17 Q. Yeah.

18 A. And so I wanted to make sure what 32.6 with the draft of the  
19 ship at zero water, you know, I needed to make sure of that and  
20 where I needed to be away from the berth and the draft before I  
21 came alongside.

22 Q. Okay. We spoke of the -- if there were any propulsion or  
23 mechanical issues.

24 A. Correct.

25 Q. You answered no.



1 A. Right.

2 Q. Were you informed of any -- you mentioned that the anchors --  
3 the captain wanted to leave the anchor engaged. So, just curious,  
4 were you informed of any other problems with the anchors? Were  
5 both anchors still usable or --

6 A. Yes, there was nothing that was not usable. The only reason  
7 he said that, and he made the comment Chinese-built ship.

8 Q. Okay.

9 A. I think it was his experience that he didn't want to trust  
10 something he didn't have faith in. He did mention that the ship  
11 was sailing from Ferndale to Asia and was scheduled for dry dock.

12 Q. Scheduled for dry dock, okay.

13 A. Correct.

14 Q. All right. Let's see. So I understand as well the master-  
15 pilot exchange, and you mentioned that that takes place over a  
16 certain period of time, it's not all the one stop shop?

17 A. The whole time I'm on the ship.

18 Q. Yeah.

19 A. And I make -- I take pride in that, because I also say that  
20 to the captain generally. Not so much on this one because it's a  
21 short voyage. When I get on a ship in Port Angeles, for instance,  
22 we have the initial dialogue to cover and make sure that  
23 everything's safe and everything's working properly.

24 My opinion is that I don't always go through the full voyage  
25 of master-pilot exchange because so many of the times the

1 captain's tired or we're going to have to cover it again.

2 Q. Okay.

3 A. So, for instance, if I went to Tacoma, typically, especially  
4 with a foreign ship, I will tell them we will talk about the  
5 harbor landing and tugs when I get to the harbor.

6 So if you're asking about my master-pilot exchange, it's only  
7 asking him is everything working okay, is there any deficiencies,  
8 everything's working okay? And I'll ask also about the health of  
9 the crew.

10 Q. Okay.

11 A. Is everybody healthy? And they always laugh when I say, I am  
12 too.

13 Q. Speaking of the health of the crew.

14 A. Yes.

15 Q. I understand your work schedule, so you went -- turned the  
16 lights off -- you read a little bit, turned the lights off?

17 A. Yes.

18 Q. You got up at 3:22 in the morning?

19 A. Yes.

20 Q. How were you feeling that morning?

21 A. When I got up?

22 Q. Yeah.

23 A. I felt normal.

24 Q. Okay.

25 A. I mean, this way of life, anybody understands this is -- I've

1 been doing this since 1975.

2 Q. Okay.

3 A. My way of life is getting up and knowing that -- under these  
4 conditions and this situation I did not feel any deficiency of my  
5 -- I don't know how else to say this, but I do know that with that  
6 time of the morning, I do like to have a cup of coffee or more to  
7 get started, you know.

8 Q. Yeah.

9 A. Just to kind of make sure that I'm clear. As you know, I  
10 think this is -- and it's a Seattle trait now, so --

11 Q. Yeah.

12 A. And if you asked about those kind of things from me, I felt  
13 rested, I guess.

14 Q. Okay. And to that, did you notice anything of the master or  
15 the crew of concern?

16 A. No.

17 Q. Okay.

18 A. I did not notice. I don't know these people. You know, I  
19 have no idea what, you know, their state is in a normal situation  
20 at any time.

21 Q. Yeah.

22 A. These were people that stand watches, so --

23 Q. Yeah.

24 A. -- 3 o'clock and 3:30 in the morning, I did not know how  
25 tired they are or how awake they were. I could not distinguish

1 anything out of the ordinary.

2 Q. Okay. And to that point, there were no comments made like,  
3 oh, I'm tired or -- from anybody?

4 A. No, not that I heard.

5 Q. Okay. And but so when you made comment, when you mentioned  
6 earlier about the master-pilot exchange and sometimes the masters  
7 are tired.

8 A. Yes.

9 Q. So you're able to observe that or do they tell you that?

10 A. It's only for a fact that I know that.

11 Q. Okay.

12 A. I've been riding ships since I was 5 years old. I know that  
13 there's sometimes -- it's different now with rest rules. We don't  
14 know how long captain's been on a ship, been in a storm. He's  
15 coming from Vancouver, they're up all night. I find it as a  
16 courtesy to give the captain -- I find it as a courtesy to try to  
17 -- I'm trying to think of the word to say this. I want him to  
18 know that he's been relieved and he can relax; however, that he or  
19 she feels. If they want to stay on the bridge or if they want to  
20 get off and go do whatever they need to do, I'm in charge now and  
21 they can show confidence in my ability to at least tell them that  
22 if you're tired, please this is a good time. I've done that  
23 before.

24 We have a tradition at Puget Sound we have done for  
25 generations and given a captain a paper, before the internet and

1 all this -- sometimes they'd be at sea for weeks -- and that paper  
2 was really grateful. But also there's another reason, is to just  
3 allow the captain to say, gosh, maybe I can just sit down for a  
4 minute and read the paper, just to give him a break.

5       So, yes, are they tired sometimes? I don't know what it is  
6 today as compared before. I can generally feel that if somebody's  
7 tired it's not going to affect my job.

8 Q. No.

9 A. I can still do the job if the captain's there or not but I do  
10 know that some of these crews are up all night. I don't know if  
11 they're doing cargo in Vancouver. I can get on a ship and feel  
12 that that man may have been on deck all day, now he's standing a  
13 watch. So I always want to show courtesy for the crew, that they  
14 may be tired. So my diligence is always the same, but I also feel  
15 that it would be great to give them, you know, pause that, you  
16 know, things are good and they can kind of relax a little bit.

17 Q. All right. Last question on the master-pilot exchange. We  
18 spoke of the dialogue that you take up with them.

19 A. Yes.

20 Q. But, again, the diversity in vessels that you have, some even  
21 follow a checklist for the master-pilot exchange?

22 A. Correct.

23 Q. I'm wondering what information was given to you from the  
24 master that you recall?

25 A. They had a three-page master -- I mean, a pilot card and

1 master-pilot exchange. We did not go through all the details. He  
2 had been into the -- I asked him -- I usually get an idea since he  
3 arrived with the ship, he knows the, how the springs and how he  
4 laid up on -- so I did not go into all the details. I planned to  
5 do that when we got closer.

6 Q. Okay.

7 A. Because we've got the springs on and then all that. But as  
8 far as the details of the pilot card, we did not go into a lot.  
9 Well, most critical to me was to get the draft and then making  
10 sure everything's working all right, and he assured me he did.

11 Q. Okay.

12 A. Some pilot cards are one page, some pilot cards are five.

13 Q. Yeah.

14 A. Each company and charter and nationality has different  
15 requirements.

16 Q. Okay. We spoke of the radar and I just want to clarify, so  
17 your preference is to use ground-based GPS --

18 A. Yes.

19 Q. -- to speed over the ground, course over the ground? You  
20 were located on the port side. I understand from on the port side  
21 of the cockpit we're talking of --

22 A. Yes.

23 Q. -- that there's a radar and an ECDIS?

24 A. Right.

25 Q. For clarification, your preference was to use the radar and

1 ground stabilized -- or so GPS based?

2 A. I would put both in the same mode. Because that way if I'm  
3 looking at a vector on one, I want to make sure I'm seeing the  
4 same data from the second one. So if I -- they're always going to  
5 be the same.

6 Q. Okay. So to that point, when you set this to be GPS based  
7 for speed input --

8 A. Yes.

9 Q. -- and when that is set, was it also set for GPS-based course  
10 or still gyro-based heading?

11 A. You know what, well, the heading is gyro but the ground is  
12 through GPS input, so it's ground-based information.

13 Q. Ground based, okay.

14 A. The heading of the ship is separate from the input of the  
15 ground because that just show you course or course over ground and  
16 not -- excuse me -- yeah, vessel movement over ground. That's all  
17 the feedback that's given me.

18 Q. Okay. You mentioned vector?

19 A. Yes.

20 Q. Did you set the vector length, time?

21 A. It seemed like it was adequate. I believe if -- good  
22 question. That's -- it seemed like it was adequate. I can't  
23 remember if it was 6 or 9 minutes. Sometimes in short areas like  
24 this I will set it a little longer because at a slower speed you  
25 want to see the vector.

1 Q. Okay.

2 A. So numerous times I'll get it up to a 12 or 15 minute vector  
3 length so I can see it easily.

4 Q. Okay.

5 A. I don't recall specifically this one. It seemed like it was  
6 adequate when I looked at it.

7 Q. Understood. Okay. And one of the challenges of pilots  
8 sometimes from other work that I've done, but -- is the equipment  
9 itself.

10 A. Yes.

11 Q. It can be very different, very diverse. Did you have any  
12 challenges operating the radar equipment?

13 A. No.

14 Q. Okay. Because I know there's even certain modes, I guess,  
15 for pilots and -- yeah.

16 A. Well, I typically will -- in fact, it's a normal operation  
17 for me is that anytime I get on a ship I usually take the ECDIS  
18 and put it into standard display.

19 Q. Standard, okay.

20 A. Which is an IMO requirement, and it takes away all the  
21 factors that may have been entered by another person.

22 Q. Okay.

23 A. And it gets me down to the basic facts without all this other  
24 information which clutters the screen.

25 Q. Okay.



1 A. I did put it in standard display.

2 Q. It was in standard? Okay.

3 A. Yes, yes. In fact, it was unusual because I put it in  
4 standard, and on a mouse you have a scroll. When I scrolled it,  
5 it would change function from standard back to custom. I don't  
6 know why, it just did. So I had to be careful not to touch  
7 that --

8 Q. Okay.

9 A. -- because I didn't want that. Usually it's a function where  
10 you have actually a box on the screen or on the unit and you push  
11 that and it sets it and usually doesn't -- you have to do the same  
12 thing on that same unit. So I can't say I recall seeing that  
13 before. I'm sure it's been that way but I just noted it.

14 Q. Okay.

15 A. So if I scrolled and wasn't paying attention it would change  
16 the readout of the ECDIS.

17 Q. All right. So just understanding you mentioned you  
18 discovered when you went to anchor that it was in speed log based?

19 A. No.

20 Q. No.

21 A. When I went to anchor, I had it in, I had it in ground  
22 stabilized.

23 Q. Ground, okay.

24 A. When I got on bridge --

25 Q. Yeah.

1 A. -- I just -- you know, you don't --  
2 Q. Sorry. Yeah, I apologize.  
3 A. That's all right.  
4 Q. I meant the -- when you went to anchor the second time.  
5 A. Yes.  
6 Q. Yeah.  
7 A. Oh, the second time?  
8 Q. Yeah.  
9 A. That's when I noticed I was actually in the anchoring  
10 position or anchoring maneuver.  
11 Q. Okay.  
12 A. That's when I noticed because I couldn't believe it.  
13 Q. Yeah.  
14 A. My input from my information of my common sense was telling  
15 me I should be going sternway with anchor position and it was  
16 saying the anchor was leading at 7 o'clock, which is after the  
17 beam; it's astern.  
18 Q. And that's the port anchor, correct?  
19 A. It was the port anchor.  
20 Q. Port, okay.  
21 A. So anyway, so then that's when I -- wait a second, I'm going  
22 this is not right. And then that's when I noticed the speed input  
23 was different than what I had set it at earlier.  
24 Q. Okay. The radar that you were using on the port side --  
25 A. Yeah.

1 Q. -- again I'm not familiar with the ship but was that an X  
2 band, S band; do you remember?

3 A. I don't remember.

4 Q. Okay.

5 A. Typically when they put a pilot in position it can be mixed.

6 Q. Yeah.

7 A. My judgment is usually the captain's on S band. I don't know  
8 why.

9 Q. All right.

10 A. It just seems like experience wise that's been that way.

11 Q. Okay.

12 A. It can be an X band, I just don't recall. In conditions like  
13 this it wasn't necessary for one or the other for me to use.

14 Q. Okay. And do you recall if you were using any of the VRM,  
15 EBL lineup on the dock?

16 A. I used the EBL.

17 Q. EBL?

18 A. I put it as set at 005 when I first -- before anchor was  
19 aweigh, I think or right close to that position, that time frame.  
20 I used it as a marker for me to have on the face of the pier when  
21 I -- I wanted to be -- when I came around for that position  
22 alongside when I was lining up the ship, I wanted to make sure  
23 that that bearing, the EBL was lined up to be on the north end  
24 because it was 345. I just wanted to make sure that it was kind  
25 of going to warn me when I got close, within a couple ship

1 lengths --

2 Q. Yeah.

3 A. -- to make sure that that was my -- kind of my heads-up.

4 Q. Okay.

5 A. I wanted to see that EBL on the north end of the pier.

6 Q. North end of the pier?

7 A. Yes.

8 Q. That's not the dolphin; the pier itself?

9 A. Which? Well --

10 Q. There was a north dolphin, I think, wasn't there?

11 A. Yeah, but they're tied in with gangways, I mean, catwalks and  
12 stuff.

13 Q. Oh, okay. All right.

14 A. So when I say the north end of the pier, you've got the main  
15 apron and then from there you have catwalks out to the mooring  
16 dolphins.

17 Q. Okay.

18 A. But they're pretty close to being lined up with -- they're  
19 almost in the same line. They're not offset towards the beach  
20 very much. I just can't recall offhand, but --

21 Q. Okay.

22 A. -- they may be in a little bit. But when I say the north  
23 end, I'm saying that, you know, the physical structure of the  
24 pier.

25 Q. Okay.

1 A. I'm not sure exactly, you know, anyway.

2 Q. All right. That's fine. And to that point, again I've only  
3 been here like 2 days, but I did look at a nautical chart.

4 A. Yes.

5 Q. And on the chart it looked like there were buoys that were  
6 just off --

7 A. They're not there anymore.

8 Q. They're not there anymore?

9 A. They were eliminated years ago.

10 Q. Okay. All right.

11 A. Those are breasting buoys, by the way.

12 Q. Breasting, okay. I was curious to know what they were.

13 A. They used to be on those facilities because the weather would  
14 come up so strong, they've had a couple instances decades ago  
15 where the ship couldn't get off the berth and the wind was banging  
16 them up against it. So they'd surge -- those are called breasting  
17 buoys. So that if they had to get the ship off because of  
18 weather, they would heave them off with the -- but we found many,  
19 many years ago -- Cherry Point started with them and they  
20 eliminated them because they were a nuisance. They were in the  
21 way for us to safely land the ship at the facility.

22 Q. Okay. Let's see. You mentioned you were there in October on  
23 a light ship. Was that a gas ship as well?

24 A. Yes, yes.

25 Q. Okay.

1 A. BWM or BW -- I think it was called *BW ELM*, I believe.

2 Q. Okay.

3 A. And it was October, middle of October sometime.

4 Q. Middle, okay.

5 A. *BM ELM*, yeah.

6 Q. Similar size, though, draft and --

7 A. Well, she was ballast so her draft was probably lighter. I  
8 think the ship was bigger.

9 Q. Okay.

10 A. And offhand I just don't recall.

11 Q. Let's see. I'm just going to go back over a couple things  
12 here so, and, again, you've got great recall. I can't remember  
13 what I had for breakfast this morning so I'm very impressed with  
14 what you remembered; it's a couple days already.

15 You mentioned that you guys, you went full astern. Did you  
16 notice any delay or any challenge coming astern?

17 A. That was the hard part for me to know. I don't know.

18 Q. Okay.

19 A. There was nothing for me to note if she was going full astern  
20 or not.

21 Q. Okay.

22 A. I don't know. The captain didn't validate saying I'm going  
23 full astern. Typically sometimes on a ship when I'm on a house on  
24 the stern, I can feel it.

25 Q. Yeah.

1 A. But there was so much going on, if you ask me that question,  
2 I don't know.

3 Q. Okay.

4 A. There was no meters around me.

5 Q. All right.

6 A. All I know is that I could see, you know, we must have kicked  
7 up some because there was mud and stuff around on the hull from  
8 the side, you know, but, you know --

9 Q. Okay.

10 A. -- anytime we're within a couple meters of the bottom, a ship  
11 will start kicking up mud. I don't know. I assume it started to  
12 work fine. I don't know how it was delayed or if I even got the  
13 full turns to the stern, I don't know.

14 Q. Okay. That's understandable. So stern, talked to the meter  
15 location, you couldn't see the indication on that?

16 A. Not from my position.

17 Q. Not from the standpoint. So just to backup, so you were in  
18 the cockpit or as I call the cockpit --

19 A. Okay.

20 Q. -- on the port side. What was the trigger where you went --  
21 I believe you mentioned something doesn't look right, the trigger  
22 that you -- prompted you to move briskly 60 feet to the starboard  
23 side bridge wing? What do you remember of that?

24 A. I've asked myself numerous times what was it and I'm trying  
25 to come up -- there was a specific thing or just taking all the

1 data together and just -- it just was like just a feeling.

2 Q. Okay.

3 A. And I hate to use that because I can't tell you exactly what  
4 the specific thing was.

5 Q. Okay.

6 A. If there was I don't recall one specific thing, it's just  
7 that I've done this for so many years, I've always kind of relied  
8 on these things that -- a sixth sense. That's why I like to be on  
9 a bridge wing instead of an enclosed bridge because it's hard to  
10 ascertain or to explain this.

11 Q. Yeah.

12 A. But that feeling comes over you and so I believe that all the  
13 information on that bridge, something alerted me. We're looking  
14 at, which I was doing a lot on this approach -- I've done this  
15 many times, is using visuals. I like to look out the window. I  
16 have a feeling for looking at -- my experience shows a comfort  
17 level. I'm very comfortable looking out the window --

18 Q. Yeah.

19 A. -- and seeing distance and approach. There was something  
20 about this but I can't tell you specifically.

21 Q. Okay.

22 A. It was when I give hard to port, give it a kick ahead just to  
23 get my stern going, it's something -- right there is when  
24 something didn't feel right.

25 Q. Okay.



1 A. But I didn't have anybody say anything before that and I  
2 didn't hear a word. Nobody said there was an uncomfortable  
3 situation.

4 Q. Yeah.

5 A. It was all me.

6 Q. That was going to be my next question was, did someone  
7 announce, hey?

8 A. Nope, there was not one word, not until I asked the distance  
9 off of the bridge from the captain and he had said 40 meters on  
10 the bow and the mate said 40 meters. That's the first time  
11 anybody said -- anybody on board the ship or anywhere said  
12 anything about anything. All he did was give me distance. He  
13 didn't say, hey, we're going to hit or anything like that.

14 Q. Right.

15 A. Which sometimes I -- okay, anyway, at that time, no.

16 Q. Understood. Kind of answered the question, but in advance --

17 A. Yes.

18 Q. -- had there been any communications from any of the bridge  
19 team or the master regarding distance to the pier or vessel speed,  
20 vessel head?

21 A. No, not once do I recall anything like that.

22 Q. Okay.

23 A. No.

24 Q. All right.

25 A. If this was -- I consider if you're proficient bridge team,

1 this was not a bridge team. I would say that it's not normal, but  
2 I'm not saying it's completely unnatural. You get an American  
3 ship, there's constant communication, the mate's -- bow's passing  
4 this or we've got this or -- and so they are trained way different  
5 than this kind of situation.

6 Q. Yeah, okay. Current.

7 A. Yes.

8 Q. Again, completely unfamiliar with this area. You mentioned  
9 it was flood, I believe?

10 A. Correct.

11 Q. So what direction were you expecting or what direction --

12 A. Pretty much parallel to the beach. So if you look at, you  
13 know, the shore, it's going to come -- you'll see a terminal south  
14 of there it's called the PhillipsConoco, okay.

15 Q. Yeah.

16 A. They don't -- well, anyway, so the current will typically  
17 come relatively close to parallel to the shore.

18 Q. Parallel to the shore, okay.

19 A. Right. So with this berth being 345 you kind of feel like  
20 the current's going to go in the stern when I line up to the pier.  
21 If I was at 345, the current should be on my stern.

22 Q. Okay. So on the 345, the current would be --

23 A. Well, it's possibly a little bit more on the port side.

24 That's why I wanted to be a little bit away from it, because I  
25 don't want it to be on my port side and push me toward the pier.

1 Q. Okay.

2 A. But also it's a strong current.

3 Q. Yeah.

4 A. And so at that time. Now, we have no current meters at this  
5 facility. There's one up at Cherry Point that has -- but we have  
6 nothing to -- we can do it as a pilot. We have access to the  
7 current through PORTS, P-O-R-T-S, which the acronym is for  
8 information that the Coast Guard requires the National -- I think  
9 it's NOAA but I'm not really sure.

10 Q. Yeah.

11 A. And so there's current data there but we have no -- I use  
12 Rosario Strait as their starting point for when a slack current  
13 is.

14 Q. Okay.

15 A. And then it's usually a lesser amount of current, but it's  
16 kind of a calculation that can be a little bit off. It's really  
17 -- because I can't give you -- I do know that it was all of 1½  
18 knots, you know, I anticipated that, maybe a little bit more.

19 Q. Okay. Yeah, and that was going to be my next question was  
20 what did you anticipate or expect or calculate. So --

21 A. Right.

22 Q. -- 1½ knots?

23 A. At minimum.

24 Q. Yeah. And set so to run, again, just the 345 direction, so  
25 kind of in a parallel to the shoreline, so from north to south?

1 A. It's from south to north.

2 Q. Why?

3 A. The current's running flooding from --

4 Q. Flood.

5 A. -- so the direction would be this way.

6 Q. Okay, from south to north?

7 A. Yes.

8 Q. I'm glad I asked that question. Thank you.

9 A. Yeah.

10 Q. So I just wanted to go through the maneuver, and again, you  
11 mentioned what you had visualized that particular -- or your  
12 intent. So your intent was to come in, go hard to port, kick  
13 ahead, have the tug hold the ballast -- the port ballast?

14 A. If necessary.

15 Q. If necessary, okay.

16 A. Because if the current and the kick of the ship -- every ship  
17 has a little different characteristic.

18 Q. Yeah.

19 A. So if she started to kick the bow to port, I wanted to make  
20 sure the tug was in position to hold it if necessary so she didn't  
21 kick off my approach to the pier.

22 Q. Okay.

23 A. So when I -- you know, the exact word -- I can't remember  
24 exactly, but my attention was to the *Garth Foss* was to be ready,  
25 you know, I'll probably have you push if -- you know, but I didn't

1 say if necessary. It was just, you know, I'll probably -- be in  
2 position to push, and I think he understood that because that was  
3 normal.

4 Q. Yeah.

5 A. I would assume that that's normal for him, but I didn't give  
6 any direction to push. I just said be ready.

7 Q. Okay.

8 A. Or to just understand that there was going to be a  
9 possibility I might use him to push.

10 Q. Okay. And your approach to the pier was --

11 A. Yes.

12 Q. -- from the anchorage was about 050?

13 A. That's the heading of the ship.

14 Q. The heading of the ship, okay.

15 A. Yeah. Now, see, some of the data I'm using is that,  
16 unfortunately looking back, is the -- was the speed log which  
17 doesn't give me course over ground, it just gives me speed course  
18 through the water.

19 Q. Right.

20 A. And that's relative to current and it's not accurate. It's  
21 good when you're at sea when we have fixed structure, fixed  
22 facilities and buoys and reefs and things like that. It's not  
23 helpful, and so -- and that's why I believe I had set the vector  
24 at an appropriate distance. It would have been something I  
25 thought would have been helpful for me to note if the vector was

1 long. I mean, the longer the vector the faster I'm going.

2 Q. Yeah.

3 A. It didn't seem like it was -- it wasn't -- if I can recall,  
4 that would have alerted me.

5 Q. Okay. You gave some port rudder?

6 A. I gave a hard to port.

7 Q. Hard to port, okay. Started coming around?

8 A. No, I gave it a kick ahead.

9 Q. A kick ahead?

10 A. On the head.

11 Q. Yeah.

12 A. It didn't do -- that's when I had this feeling.

13 Q. Okay.

14 A. So as far as the effect of what that did on the bow or the  
15 stern, I was not -- that was not what was important at that  
16 moment.

17 Q. Okay.

18 A. Important was where am I in relative position to the berth --  
19 to the pier.

20 Q. Okay.

21 A. Do you understand what -- I hope that makes sense?

22 Q. Yes, it does, yeah.

23 A. Okay. My anticipation of going hard to port and giving a  
24 kick ahead was because I thought it was -- I thought I was just  
25 about two ship length off, you know, it felt like, looking at the

1 pier when -- right before I gave it -- you know, I can't give you  
2 exact distance, but it felt comfortable because what I'm landing  
3 on is those white lights.

4 Q. Yeah.

5 A. I could not visually see the mooring dolphin.

6 Q. Okay.

7 A. There was nothing to show me -- you know what I mean is, it's  
8 dark; it's all in the shadows.

9 Q. To that point, do you recall -- and, of course, this is  
10 always a challenge at night, was the -- were the deck lights on?  
11 Was the ship lit up?

12 A. On the ship? Let me think for a minute. I asked them to  
13 secure the lights --

14 Q. Okay.

15 A. -- because they had the lights on the bridge wing if I --  
16 now, I have to make sure because, you know, every time each job  
17 it's a little different, so I've got to remember if -- the  
18 accuracy on this. I did ask them to secure the lights when we got  
19 away because the lights were shining aft. I wanted to be able to  
20 see comfortably.

21 I'm pretty sure I asked them to secure the lights on the  
22 bridge wing because I wanted unrestricted illumination on the  
23 bridge. As far as the deck, I think the captain had already set  
24 that up, so -- now the bridge -- the bow had lights working the  
25 crew forward. They typically leave the fo'c'sle lights on because

1 of safety for the crew to be able to -- but I don't think offhand  
2 I can recall anything that was handicapping my visual.

3 Q. Okay.

4 A. If I had, I would have said something.

5 MR. TUCKER: I'll tell you what, I've asked you enough of  
6 questions; you're tired of hearing from me, so -- I will have a  
7 couple follow-ups on the back end, but we'll move on.

8 MR. HENSHAW: Okay.

9 UNIDENTIFIED SPEAKER: Can I take a quick break, sir?

10 CWO [REDACTED] Yeah, yeah, if you want to take a break here.

11 MR. TUCKER: Yeah, sure.

12 UNIDENTIFIED SPEAKER: Sorry, it's a good time to have --

13 MR. TUCKER: Stop the recording. Yeah, good call. I'll stop  
14 the recording and the time is 11:37.

15 (Off the record at 11:37 a.m.)

16 (On the record at 11:43 a.m.)

17 MR. TUCKER: Okay. We are going to start the recording  
18 again. The time is 11:43 local time, and we're going to start  
19 with Captain Ned.

20 CAPT KILEY: Yeah.

21 BY CAPT KILEY:

22 Q. Some of this would be kind of redundant. I'm just trying to  
23 get -- make sure I understand and get sort of reclarification.  
24 Did you discuss a voyage plan with the captain before you got the  
25 anchor up?



1 A. Yes. Yes, I showed him and talked to him about taking the  
2 ship away from the berth and to anchor. Talked about the weather,  
3 things about that as far as the voyage plan.

4 Q. Right.

5 A. I anticipated talking to him when we got prepared to leave in  
6 the morning.

7 Q. Yeah, that was the one I was focused on.

8 A. I anticipated, when the captain said 6 minutes to heave  
9 anchor, by the time I got up on the bridge I'd have roughly 30  
10 minutes.

11 Q. Right.

12 A. So my anticipation was to think that I would have had more  
13 preparation time with the captain. I had my own preparation time,  
14 but to confer with the captain, no.

15 Q. Right.

16 A. So as far the voyage plan --

17 Q. Yeah. You said, yeah, you said, you know, suddenly anchors  
18 aweigh and --

19 A. I was, I think -- I was not shocked; I was surprised maybe.

20 Q. Right.

21 A. It just seemed like it was way -- my anticipation there, you  
22 do things over so many years --

23 Q. Right.

24 A. -- you kind of have an anticipation of how events will happen  
25 in a certain amount of time. And this was totally early than --

1 but, you know, at the time you're just going, okay, great, you  
2 know, things were safe, everything seemed fine.

3 Q. Right.

4 A. So, yes, at the time I thought it was surprisingly quick.

5 Q. Okay. What was your primary means for navigating from the  
6 anchorage?

7 A. The radar.

8 Q. Radar?

9 A. Radar.

10 Q. Okay. And you've already said that your primary means of  
11 assessing speed is the GPS?

12 A. Correct.

13 Q. GPS speed input into the radar?

14 A. Yes.

15 Q. Right, okay. I haven't had the advantage of being on the  
16 vessel, so what was your primary conning position for the -- from  
17 the maneuver from the anchorage to the -- back to the pier?

18 A. It would have been at the radar station, and actually this is  
19 laid out reasonably well on the ship. If I can just --

20 CWO [REDACTED] Would you like a piece of paper?

21 MR. HENSHAW: Well, I can just lay it out here.

22 CWO [REDACTED] Okay.

23 MR. HENSHAW: I'm a model guy, and I can really do this very  
24 easily. If this is the steering stand and the forward window is  
25 here.

1           CAPT KILEY: Yeah, right.

2           MR. HENSHAW: This is a radar in ECDIS and the captain is on  
3 this position, here's a radar and an ECDIS all relatively close,  
4 and here's the console, it kind of goes around like this.

5           CAPT KILEY: Okay.

6           MR. HENSHAW: And you have space in front of the console to  
7 the forward bridge windows. And then from here there's a short  
8 space and you go out on the bridge wing through a door, the same  
9 here. So you can anticipate 118 foot on the beam, probably the  
10 pilothouse from side to side you can just -- it's comfortable.  
11 It's about, you know, longer than the length of this table. So if  
12 that answers your question, probably within from this gentleman to  
13 here is my -- he's the helmsman --

14          CAPT KILEY: Right.

15          MR. HENSHAW: -- I'm right about here.

16          BY CAPT KILEY:

17 Q.       So you're just to the port side of that?

18 A.       Just to the port side of keel, yes.

19 Q.       And you said -- I was going to ask you, what time did you  
20 move out on the bridge wing, but that was the point at which --

21 A.       Well, you know, this is interesting.

22 Q.       Yeah.

23 A.       Because the captain asked what time should we say we struck  
24 or whatever word he used, because at the time he wanted to have  
25 something, and I go, I don't know, captain, I don't know. First

1 thing came in my head it was about 4:15 or something, you know,  
2 and that's -- and I -- he said 4:15, 4:20? And I go, I think  
3 4:15. I thought he would have had better, you know, information  
4 because I wasn't even -- not looking at my watch.

5 So your question about what time, it was after the fact and I  
6 have no idea. I have none until --

7 Q. Right. So you talked about briskly moving out to the bridge  
8 wing.

9 A. I did, I did.

10 Q. And that was about the time that you -- correct me, make sure  
11 I'm understanding this, it was about the time you went hard to  
12 port and --

13 A. It was after.

14 Q. It was after?

15 A. I went hard to port, gave a bell ahead on the ship.

16 Q. Bell ahead, and that's the --

17 A. That's when it struck me as being --

18 Q. After you had done that --

19 A. Yes.

20 Q. -- you sensed something was not right?

21 A. Correct.

22 Q. And that's when you went out?

23 A. I stopped the engine.

24 Q. You stopped the engine, okay.

25 A. If there was a moment of just trying to ascertain before I

1 walked out to the bridge wing, it would have been a few moments.  
2 If you said a few seconds, probably long -- that's long. Right  
3 within that, stop the engine, this is not good. Whatever's in my  
4 head's going, something wrong, something's not right. I walked  
5 briskly out. That's the word I used because I didn't run.

6 Q. Right.

7 A. But I was -- with my radio in my hand, I had my ship's -- I  
8 mean, I have the radar -- radio for the tug communication, and I  
9 walked out. I did not go all the way out to the bridge wing, I  
10 just -- because as soon as you're out the door you can see the  
11 bridge, I mean, the bow of the ship.

12 Q. Right.

13 A. It's just more if I'm trying to pick up something visually on  
14 the shore. And, see, I knew that we were close. I knew we were  
15 closer -- as soon as I had that feeling, I knew I was closer than  
16 I wanted to be. My -- you know, all of this preparation of  
17 knowing what I wanted to do --

18 Q. Right.

19 A. -- it's not where I wanted to be. So when I went out there,  
20 I was trying to get a visual and I asked the captain how far off  
21 the pier are we, and that's when he asked the mate.

22 Q. So you -- if I'm understanding this, you went hard -- when  
23 you went hard to port, kick ahead --

24 A. Yes.

25 Q. -- suddenly things were not right and you --

1 A. As soon as -- yes.

2 Q. -- thought in your mind you should have been two ship  
3 lengths?

4 A. I felt that I was comfortable --

5 Q. All right.

6 A. -- in the estimate for me.

7 Q. Right.

8 A. Just to tell you, because I'm trying to recollect --

9 Q. Right.

10 A. -- without actually saying it at the time, I'm two ship  
11 lengths off; it felt like I had a comfortable distance.

12 Q. Right.

13 A. And to me that's what I would have been trying to do.

14 Q. Right.

15 A. I would have been accomplishing that at two ship lengths off.  
16 The only visual I had was the white lights of the apron. Could  
17 not see the mooring dolphin. If I'd saw the mooring dolphin -- I  
18 don't know, but there was no light on it.

19 Q. Right.

20 A. So nothing to validate it.

21 Q. Yeah. So, and that was very close to the point at which they  
22 reported 40 meters?

23 A. Well, you know, I'm not going to -- I'm not a physics guy. I  
24 can't calculate how far the distance of the ship traveled.  
25 Somebody else who's a lot smarter than I, can do that. But by the

1 time I stopped the engine to the time I stepped out to the bridge  
2 wing and asked for the distance, yes, we traveled ahead. I don't  
3 know how far. But it would have been --

4 Q. Mostly -- roughly what's -- about how quickly did you hear  
5 that 40 meters?

6 A. As far as when I asked?

7 Q. Yeah.

8 A. When I was -- you know, I could have been stepping out the  
9 door when I said that.

10 Q. Right.

11 A. Captain, I need -- what's the distance off? Three to 4  
12 seconds maybe.

13 Q. Yeah, okay.

14 A. Then I heard it over his radio.

15 Q. Yeah.

16 A. Not the captain, I heard his radio say -- the mate up forward  
17 said the distance.

18 Q. Did you feel all your orders to the ship's crew were  
19 followed?

20 A. Well, they were followed only when I could ascertain that;  
21 does that make sense?

22 Q. Okay.

23 A. And so if I said full astern on the ship, I don't know. He  
24 didn't say anything to say we're at full astern. That's why I  
25 mentioned it more than one --

1 Q. So he didn't say full astern, so he didn't say full -- he  
2 didn't give you a response?

3 A. He did not. I don't recall him saying anything.

4 Q. Yeah, okay.

5 A. In fact, that's why I said it more than a few times full  
6 astern, full astern. It was more of I try to show urgency --

7 Q. Right.

8 A. -- because I know this was a critical point that if I was  
9 going to do anything to stop this from developing I needed to have  
10 response immediately, and I guess I was trying to be as forceful  
11 as possible to tell him this is a critical issue. And did he say  
12 I'm doing full astern? No, I never heard that, and I wasn't close  
13 to a meter to validate for myself.

14 Q. Right. Did you feel the tugs were responsive to you?

15 A. I do believe the tugs, when they said we are doing everything  
16 -- when I conferred the second time and said, I need everything  
17 you've got, says we're there or something similar to that --

18 Q. Right.

19 A. -- was I have every confidence to know that those tugs were  
20 doing it as quickly as -- they're very good operators on Foss and  
21 -- we have extremely good operators in Puget Sound, we're very  
22 fortunate. So just to confer with you just one moment is that I  
23 expected to use that stern tug to brake me.

24 Q. Right.

25 A. And to use that turn of the ship --



1 Q. Right.

2 A. -- with the knowledge that those are great tugs and great  
3 operators. And all my experience has shown that using that stern  
4 tug has been -- it's a braking mechanism that I've used numerous  
5 times over my career, and that was my anticipation of using that  
6 tug with the knowledge that they're good tugs and good operators.

7 (Phone ringing.)

8 UNIDENTIFIED SPEAKER: Sorry.

9 BY CAPT KILEY:

10 Q. In that conning position --

11 A. Which one, the rear?

12 Q. The -- that one.

13 A. Yes.

14 Q. Did you have pretty good --

15 A. Yes.

16 Q. -- pretty good visibility of the ship's gauges that you  
17 needed? You're still having trouble, was that --

18 A. No, there's one gauge I was using was the gyro repeater.

19 Q. Okay.

20 A. It's up above the window.

21 Q. Right.

22 A. So that was good. I did ask them earlier to enbrighten the  
23 -- they have a circular rudder angle indicator on the overhead.

24 Q. Yeah. All right, okay.

25 A. I asked them to brighten that up because I thought it was a

1 little bit --

2 Q. Okay. And you can see that pretty well?

3 A. I could see that fine. And so my experience when I say a  
4 rudder or angle indicator --

5 Q. Right.

6 A. -- I always look to validate.

7 Q. Yeah.

8 A. So my experience would say, did I look at that time? I would  
9 lay my cards to say, yes, I did, so -- but --

10 Q. Yeah. But the engine gauge was --

11 A. It was up there but, you know, it was one of those meters  
12 where it's --

13 Q. The rpm.

14 A. But, see, at that point, I wasn't really concerned about it,  
15 you know. I generally look to see if the needle, you know, the  
16 meter's going in the right direction. Ahead was -- you know, it  
17 wasn't such a critical motion for me to think that I needed to  
18 validate because I could hear the -- you know, there's a sound  
19 mechanism to show that they've actually moved the telegraph. And  
20 so to me that at least shows that the engine's being -- had given  
21 an order.

22 I can't, I just can't recall if I looked at that meter to  
23 make sure it was going in the right direction. I don't know for  
24 the ahead, because that would have been the only time I was on the  
25 bridge to see if I needed this, you know, for my order.

1 Q. About how long after allision did you contact VTS, do you  
2 think it was?

3 A. When the ship was in safe position.

4 Q. Okay.

5 A. And I would say maybe -- she was heading in a westerly  
6 direction course. I would say after the allision to the time I  
7 got on the phone, after I was talking to the tugs, ascertaining  
8 issues, no more than 5 minutes.

9 Q. Okay.

10 A. Would have been less probably, most likely.

11 Q. And it was about 3 hours from the time that -- time of the  
12 allision till anchor was down, and --

13 A. Because they wouldn't give me direction to leave.

14 Q. Okay.

15 A. That's -- it was up to them.

16 Q. So that would -- that's because you were -- right. I could  
17 tell you were doing a lot to assess what the damage was and that  
18 sort of --

19 A. The delay wasn't me. The delay was on the Coast Guard to  
20 tell me what I should do, and I could not do anything without  
21 authorization from the Coast Guard.

22 Q. Right.

23 A. So for the amount of time from the allision to the time it  
24 anchored down, the bulk of that time was doing round turns or  
25 basically holding position.

1 Q. Yeah.

2 A. Generally close or in that general anchorage area, because I  
3 really my judgment was that's the best place to put the ship.

4 Q. Right.

5 A. And anchor was obviously the most prudent thing to do. I  
6 didn't want to keep navigating out there; it just puts me in a  
7 position where I have to -- my primary goal is the safe navigation  
8 of the ship. Then if there's anything the captain needs from me  
9 or help or answers from the Coast Guard -- I mean, getting on the  
10 phone is a distraction.

11 Q. Yeah, it's busy.

12 A. Right. Well, you've got the VTS on 14 or a 5-Alpha on there,  
13 and you've got the phone and, of course, I'm trying to make sure  
14 that I'm following protocol and, you know, never been in this  
15 position before.

16 Q. Right.

17 A. So I'm trying to wrack my mind because there was nothing for  
18 me to refer to. And being on a ship, the captain's got his own  
19 thing going on and, of course, I'm not relying on anybody to help  
20 me to do the navigation. Nobody's -- and the tugs are great. The  
21 tugs are there and I can be reassured that the tugs will be there  
22 and they would, you know, give me heads up now. They would have  
23 given me any -- so I don't know what your question was. I guess I  
24 might have got off track, but I'm just saying that the time frame  
25 for --

1 Q. No, it was mostly just time frame.

2 A. Yes, sir.

3 Q. And just to finally make sure I've got it in my head, but the  
4 typical maneuver is to approach the pier --

5 A. Yes.

6 Q. -- hard port?

7 A. No, there's nothing typical here.

8 Q. Okay.

9 A. The previous ship I came in, did not come from anchorage.

10 Q. Okay.

11 A. So the typical approach would have been a lot closer to  
12 Phillips. So my stern would have more stemming into the current  
13 and would be more parallel to the berth.

14 Q. Okay.

15 A. The position of the anchorage I took with the knowledge that  
16 I could have the time to maneuver the ship from the anchorage and  
17 get into position to get parallel to the berth, I felt my maneuver  
18 could be two ways: stop her to the south of berth or get her down  
19 slow and turn or to hook it in, which is a terminology maybe I  
20 don't know if everybody knows, but it's to hook it in, and using  
21 the stern tug to keep the speed at a comfortable speed and then  
22 maneuver the ship with the rudder and ship's engine to turn, and  
23 then use the bow tug as necessary to position the bow where  
24 necessary. So there's three different maneuvers I can approach to  
25 that pier.

1           And then, of course, weather would be another factor and the  
2 wind was something in my mind. It was one of these things you're  
3 extrapolating a lot of information: current, tugs, ship, draft,  
4 current, you know, all these things and the wind. And I do know  
5 that watching the smoke lay down on that stack was a consideration  
6 for me to know -- I think the effect of the wind did have some  
7 effect. I anticipated -- I don't know to what degree, I'm not  
8 really sure.

9           There was just so many other things going on, but 10 or maybe  
10 15 knots; I don't think it was stronger than that. I did not look  
11 at the ship's equipment to -- you know, I have a feeling for what  
12 the weather would be. So I think that's -- you know, it's my  
13 judgment it was about 10 or 15 knots. It wasn't -- I don't  
14 believe it was gusting because I didn't see it and I wasn't  
15 outside. I didn't -- and the weather, on the sea there wasn't --  
16 it wasn't choppy but it wasn't, it wasn't flat. So --

17           UNIDENTIFIED SPEAKER: Do you need a glass of water?

18           MR. HENSHAW: Yes.

19           UNIDENTIFIED SPEAKER: I said do you need a glass of water?

20           MR. HENSHAW: Oh, no, I'm good. Thanks.

21           UNIDENTIFIED SPEAKER: Sorry, you coughed a little bit so --

22           MR. HENSHAW: Oh, that's a nasal issue.

23           CAPT KILEY: No, I think that's all I have then. Thank you.

24           MR. HENSHAW: Okay, captain.

25           MR. TUCKER: Mr. [REDACTED].

1 BY MR. [REDACTED]:

2 Q. Morning, Captain, this is [REDACTED] [REDACTED] on the recording. I  
3 have just a couple follow-up questions. You said you've been, I  
4 think, sailing since 1975; is that correct?

5 A. Well, I've been a sailor since 1975. I've been an active  
6 Puget Sound -- I've been piloting on my pilots with the ferries,  
7 and I started in 1979, and I worked captain with the ferries  
8 starting in 1986, and I became a pilot in the year 2000.

9 Q. With Puget Sound Pilots?

10 A. Yes.

11 Q. Thank you. When was your last physical?

12 A. The question -- I just renewed my state license, so that  
13 would have been June.

14 Q. Is that an annual requirement?

15 A. Yes, it is.

16 Q. Anything changed since your last physical, anything?

17 A. No, no.

18 Q. So you said you use visual cues for the wind speed?

19 A. Yes.

20 Q. Let's see, just to verify, you didn't confirm the wind speed  
21 with any of the instruments on board the vessel?

22 A. Not the wind speed, no.

23 Q. Okay.

24 A. If the wind would have been stronger I would have done that.

25 Q. So when you come up on the bridge, when would you normally

1 verify that the correct speed input was being used?

2 A. When I have that time frame. First thing I asked when I got  
3 on there, captain says, crew's (indiscernible) ready, standing by.  
4 I go okay, great, I could use a cup of coffee. So getting a cup  
5 of coffee, coming over and -- you know, and that's when I also  
6 talked about the pilot card and having the captain sign.

7 All that time would -- all those issues would transpire, and  
8 then I'd have an opportunity to go over and look at my navigation  
9 equipment. I did not have the time to do that because we were  
10 already underway. We were underway.

11 Q. The anchor came up and he's -- okay.

12 A. Anchor's aweigh. So we're not on the bottom, so now I'm  
13 navigating without really validating. Of course, now I can say  
14 this, there's something I should have done but I also know that at  
15 the time I didn't anticipate a change in the equipment. But I can  
16 tell you there's two different mates, mate at night as compared to  
17 the mate in the morning. So, I don't know.

18 Q. So had the anchor come up much slower like anticipated, you  
19 would have --

20 A. I would have --

21 Q. -- most likely verified?

22 A. I know I would have verified. That is my normal preparation.  
23 I have preparation for the voyage and then I have preparation for  
24 navigation, and that's a normal preparation and I would have  
25 possibly -- you know, offhand, maybe -- I believe the radar was



1 tuned to what I had, it was engaged. I keep it engaged when she's  
2 at anchor, so I don't think the settings were changed as far as  
3 gain and decluttering and all that. What was changed was I  
4 strongly believe was the speed input.

5 Q. On your PPU, does that have your speed?

6 A. The PPU?

7 Q. Yes.

8 A. Yes. But it's from the ship's AIS plug.

9 Q. Okay. So if you were using your PPU would it have also been  
10 on the wrong speed setting?

11 A. No, it would not have, because it's always GPS speed.

12 Q. Okay.

13 A. The ship's the only one that has log speed.

14 Q. Okay. So if you had your PPU, it would have had the speed?

15 A. If I had had my PPU, it would have had log -- excuse me --  
16 GPS speed would have been the input. I never changed that,  
17 correct.

18 In fact, I don't -- you can't have it. It has to be either  
19 GPS or ship's, you know, because you don't have any information  
20 from the ship for log speed. This can't be an input.

21 Q. Okay. Just verifying what other things were already  
22 answered. If the speed had been the way you anticipated it on  
23 GPS, how would that have changed things?

24 A. Well, everything's hindsight with your question.

25 Q. Of course, we'll get to hindsight.

1 A. My hindsight was that I would have had more accurate  
2 information and also I would have had course over ground. And so  
3 the difference of 1½ knots or better, whatever the current  
4 difference was, would have made all the difference to me is how  
5 fast I was approaching the pier and the conditions for me to make  
6 those maneuvers would have been different. It would have been  
7 much more earlier, and I think that was a critical issue for me.

8 The visual, I use visuals a lot. Looking out the window it  
9 was a clear environment.

10 Q. You had mentioned you had to have your phone available you  
11 have family medical problems?

12 A. Well, it's my -- yeah, it's personal, yes.

13 Q. No, I understand. Is there anything -- I'm just maybe --  
14 something that might have distracted you, like something very  
15 important going on at home?

16 A. No, there was not.

17 Q. In your personal -- I don't want to get too personal but --

18 A. No, no. No, no, no, no.

19 Q. Just trying to see if there was a distraction there?

20 A. No distractions. Like I said, in fact, you asked the  
21 question what I used the phone for when I was -- when we anchored  
22 down to the time we were on the bridge. I did not have any  
23 communication with anybody. It was more just checking the  
24 information for dispatch, because we all kind of -- we have an  
25 informational board that we can kind of forecast to see what our

1 next job's going to be.

2       So I think that if I was referring, it was strictly a web-  
3 based information or maybe checking an email. I mean, that was  
4 it. Or maybe some text that I didn't answer when I was -- you  
5 know, time I was on the ship. I didn't send any texts. And by  
6 the time I was up, I never referred to the phone by the time my  
7 alarm went off at 3:22 until I called the Coast Guard after the  
8 incident. That's the first time the phone was even in my hand,  
9 except for turning off the alarm. That was it.

10 Q. Yeah, I was just trying to see, sometimes people have huge  
11 problems at home that could be taking their attention away.

12 A. I have no -- no.

13 Q. Okay.

14 A. I have nothing out of the ordinary that I would like to  
15 offer. Yes, sir.

16 MR. [REDACTED]: Thank you. That was my last question.

17 MR. HENSHAW: Okay.

18 BY CWO [REDACTED]

19 Q. All right, I've just got a couple here. Was there any kind  
20 of lights on the dolphins?

21 A. No.

22 Q. Okay. When you did the mooring in October, did you remember  
23 any lights on the dolphins?

24 A. It was a daytime landing.

25 Q. Okay. To your knowledge, has there been lights on the

1 dolphin at all, marker lights or anything like that?

2 A. On the chart it shows a light.

3 Q. Okay. All right. In your previous October moor you said it  
4 wasn't from anchor. Have you moored a vessel from anchor similar  
5 to the vessel that you --

6 A. Yes.

7 Q. Okay. At night as well or dark?

8 A. I'll have to refer back.

9 Q. But --

10 A. But all those facilities up there -- Cherry Point, this  
11 facility, and Ferndale Conoco, they are under a lot of conditions  
12 at night. So I equate this -- now, Phillips has a policy where  
13 they don't land a ship on flood tides. They've had situations  
14 over the years and their requirement is all ships have to be slack  
15 ebb. They will not do it slack flood, and that's their  
16 requirement for ships and always starboard side too. Of course,  
17 this one's on the starboard too.

18 But Cherry Point can be either side. They also have some  
19 restrictions depending on current up there. So to answer your  
20 question, I've made dozens and dozens of landings that are in dark  
21 on all three facilities. I just can't tell you offhand how many  
22 at this one pier.

23 Q. Okay. Were you -- would you say that you were comfortable  
24 with the distance that you anchored and being able to make your  
25 approach in the morning?

1 A. I did before.

2 Q. Okay.

3 A. So I -- the reason I anchored is because it's convenient to  
4 be close to the pier. I anchored before on these kind of  
5 situations and know that if -- you know, it was actually nice that  
6 that wind came out of the northwest because my heading was  
7 different. See, if there was dead calm she would have been headed  
8 on a southerly direction stemming this current, I would have  
9 possibly probably just turned the ship in that position or stemmed  
10 extremely slowly to get to where my approach was similar to here,  
11 or maybe a little more further south. I was not uncomfortable  
12 about where I anchored, and if I had to do it again, my anchoring  
13 was not the problem.

14 CWO [REDACTED] Okay. Okay. That's all the questions I have  
15 for right now. I'm going to go ahead and allow everybody if they  
16 have any alibis, any questions they want to ask. NTSB, do you got  
17 anything?

18 MR. TUCKER: Yeah, we've got a few follow-ups.

19 CWO [REDACTED] Okay.

20 BY MR. TUCKER:

21 Q. Yeah, captain, couple things I forgot to ask earlier. My  
22 name is Adam Tucker for the recording. Did the master either  
23 brief you or do you remember from the pilot information card what  
24 the direction rotation of the propeller was?

25 A. We did not say anything that's on the pilot card. If I

1 looked at it, it would have been -- it's really -- it's one of  
2 these things that if I said it to you, it's an obvious thing.  
3 It's your right-hand turn. When she backs down or goes in  
4 sternway, the propeller will turn to port.

5 Q. Okay.

6 A. So did he say anything? No, he did not.

7 Q. All right. Did you as pilot understand that -- you mentioned  
8 you don't rely on the bridge team, but did you set any  
9 expectations of -- did you tell them, say, hey, I need to know  
10 this distance, this range?

11 A. No.

12 Q. I need to know my speed, anything?

13 A. No, I did not ask them ahead of time for any information that  
14 was -- that I would use, no.

15 Q. Okay. Did the master brief you on any type of limiting  
16 functions of the propulsion system?

17 A. No.

18 Q. Okay. Are you aware of from your experience as a pilot, are  
19 you aware of other vessels having limiting functions or --

20 A. Yes.

21 Q. -- ramp-up functions? There's a bunch of different names.

22 A. Yes.

23 Q. Okay. Is that something you check or you ask for?

24 A. On a pilot card sometimes I will look at it to see the amount  
25 of horsepower astern as compared to going ahead.

1 Q. Okay.

2 A. And this one would have been probably my preparation, when I  
3 was heaving anchor it would have given me that time to look at the  
4 pilot card to see, because sometimes a ship -- on a container ship  
5 that's not usually an issue. Sometimes a bulker can be less than  
6 40 or 35 percent of power astern as going ahead. I don't know on  
7 this ship. I have the pilot card in a, you know, in a note  
8 somewhere, but I -- that would be something that he normally would  
9 say something to me. And I've had that happen with other  
10 captains.

11 Q. Yeah.

12 A. I've had that happen more than a few times. If there was a  
13 concern about the back down or the ability to go astern and have  
14 good horsepower, I hear that.

15 Q. Okay.

16 A. I didn't hear anything here.

17 Q. And to that point, were you informed of any type of  
18 computerized mechanisms that would slow the revolutions ordered or  
19 anything like that?

20 A. I was not aware of any.

21 Q. Okay. On other ships have you seen that before?

22 A. Oh, yeah, and that's why I mentioned earlier about sometimes  
23 I go astern with a slower bell than what's necessary just to get  
24 the direction of the ship.

25 Q. Okay.

1 A. Because somewhere -- I'm not a mechanic and I don't work  
2 engineering, but some of the old days you had air.

3 Q. Yeah.

4 A. And so sometimes when you have a little headway on a ship, if  
5 you go dead slow astern and you want the propeller to go that  
6 direction, sometimes the engineer doesn't realize that being down  
7 below --

8 Q. Yes.

9 A. -- and they don't give them enough air to start the engine.  
10 So typically you go slow astern or stronger just to get them to  
11 know that you've got to get a little more air to that engine. So  
12 being in this spot, I find that if I need to go strong, I start  
13 with a smaller one, say, slow astern, which is what I'm pretty  
14 sure I said was slow astern, to get the direction of the engine  
15 going the right way. That was the most important to me was  
16 direction of the engine, and then full astern --

17 Q. Okay.

18 A. -- was to ramp it up from there. Electronic, computerized  
19 systems now, some ships are fast, some are slow. Yes.

20 Q. Okay. We spoke of the tugs. Follow-up, the frequency of --  
21 radio frequency use for the tugs?

22 A. We were on Channel 77.

23 Q. 77. Any communication challenges? Were there anybody else  
24 stepping on that frequency at that time, anything?

25 A. No.



1 Q. Okay. I believe you answered the question. I'm just going  
2 to ask -- but I will ask, any previous accidents?

3 A. For me?

4 Q. Yes.

5 A. In my career?

6 Q. As a pilot.

7 A. I can go on my whole career from 1975, I've never been in an  
8 incident before. I've been party to an incident. I mean, we've  
9 had people jump overboard, things like that. But my incident past  
10 is flawless. This is zero incidents, zero damage.

11 Q. Yeah. You mentioned also the next job is checking the  
12 dispatch and all that?

13 A. Uh-huh.

14 Q. Did you have a next job to go to that morning?

15 A. Did I?

16 Q. Yeah.

17 A. Well, we have new rest rules involved now and we're still  
18 learning the process. Typically before you get ashore you check  
19 in and they gave you so much rest before you're assigned for  
20 another ship. We have new rest rules where we're extended more  
21 rest period.

22 Q. Yeah.

23 A. So it's just an idea to say when I'm lining up for the next  
24 job, that's about it.

25 Q. Okay.

1 A. So I knew I wouldn't be -- by the time I got off this ship,  
2 with typical the check-in time for dispatch and then the amount of  
3 time between jobs, I wouldn't be working until the next morning.

4 Q. Okay, yeah.

5 A. So there was no concerns of having to be ready to go to work  
6 right away.

7 Q. Okay. As I'm learning Puget Sound is a big area and requires  
8 a lot of commute time. Just curious though --

9 A. Yes.

10 Q. -- does your commute time factor into your rest hours?

11 A. Rest, no.

12 Q. Or your --

13 A. No. But that's kind of a hard question to answer real  
14 quickly.

15 Q. Yeah.

16 A. I would say half my job is not only just piloting the ship;  
17 half my job is also getting to the ship or getting home.

18 Q. Yeah, yeah.

19 A. So, yes, I choose to live in Poulsbo, which is across by  
20 ferry. So when I got dispatched at 1400 to do this job, they give  
21 you 6 hours because of the distance from -- we're based from  
22 Seattle.

23 Q. Okay.

24 A. And so each port further from here we get so much time to  
25 allow to get to that job.

1 Q. Okay.

2 A. They factor the Seattle time not where you -- we have a great  
3 opportunity to live where we choose to live.

4 Q. Yeah.

5 A. The bulk of the pilots live on the west -- excuse me -- the  
6 eastern side corridor or Seattle side. There's a half a dozen of  
7 us live from Gig Harbor through Poulsbo and Bainbridge area, that  
8 area.

9 Q. Okay.

10 A. I was dispatched at 1400.

11 Q. Okay.

12 A. This is Saturday night. Knowing that traffic and the weather  
13 was supposed to get some possible thundershowers is what I saw in  
14 the forecast, which means, you know, traffic's horrendous in this  
15 corridor every day now.

16 Q. Yeah.

17 A. It's not like just commuter stuff. So I was dispatched at  
18 1400 with anticipation what ferry did I need to catch, and I  
19 always go ahead one ferry. So I needed to be on the 4 o'clock  
20 ferry.

21 Q. Okay.

22 A. I knew I would be comfortable at 4 o'clock. I left at 1445  
23 to go catch -- you know, if I got there early for the earlier  
24 ferry, great. In fact, I was there for the ferry. It overloaded  
25 left -- I was the second car left on the pier. I counted for the

1 Esca Line (ph.).

2 Q. Yeah.

3 A. That's why I bring my sports page and --

4 Q. Yeah.

5 A. I have a lot of time. But to answer your question, from the  
6 time I got off -- from the time I got dispatched, I was already  
7 rested and I had laid down at noon that same day because I knew  
8 that -- you know, I take a nap every day. My nap time is usually  
9 the 30-minute window and I can lay down. I'm very fortunate in my  
10 career, my physical ability to fall asleep reasonably quick. And  
11 so I laid down at noon and I was up at 12:45, and we're doing  
12 Christmas stuff, so the bulk of my day that day was doing  
13 Christmas lights.

14 And so as far as -- I got up that morning, went to the gym.  
15 I was home after the gym and had some breakfast. I was home, oh,  
16 9:30, and helping my wife with Christmas decorations, things like  
17 that. We have a great system for a dispatch.

18 Q. Yeah.

19 A. We have the ability to see ahead of time what we're lining up  
20 for, so to speak, so you can anticipate what I should be doing  
21 before I get the dispatch.

22 Q. Yeah.

23 A. And I saw this job being -- that's why I laid down and I  
24 wanted to make sure that I felt rested to go for the job. I  
25 rested well that nights before. I felt good, I felt fine.

1 Q. Thank you. Let's see. Oh, you mentioned people running.

2 A. Yes.

3 Q. Yeah. And they were on the dolphin?

4 A. They were. And, let's see, when you come alongside the dock  
5 here, which is like this, and you have this mooring dolphin out  
6 here. Typically we come alongside the ship and we put springs to  
7 the pier first, and then work from there and then these linemen  
8 will take the springs, put them on, and then go to the breast  
9 lines and then work out to the stern.

10 Q. Okay.

11 A. The men that I saw -- and this is pretty good. There's a --  
12 you've got the apron of the main pier. You have like an office  
13 control area here. And when I looked -- I didn't look to see, I  
14 just saw them. There's lights on the pier, I see men running past  
15 this area, up the pier away from the ship.

16 Q. Okay.

17 A. So that was also -- I'm going, this is not good. I don't  
18 know what else to say.

19 Q. Yeah.

20 A. I mean, it was one -- it's startling.

21 Q. Okay, yeah.

22 A. It was completely shocking, and then I recognized if they're  
23 running there's a reason they're running.

24 UNIDENTIFIED SPEAKER: Yeah, that one's mine.

25 MR. HENSHAW: Okay. Didn't want to take all my props here.

1 UNIDENTIFIED SPEAKER: Yeah.

2 BY MR. TUCKER:

3 Q. Did anybody inform you -- so you had -- besides the radar you  
4 had the ECDIS in --

5 A. Yes.

6 Q. -- in close proximity. Did you look at the ECDIS at all to  
7 see if there was any cross-check?

8 A. I looked but, you know, it's more of just to validate what I  
9 already knew, you know, as far as position. I think the radar was  
10 the input of speed I was looking for. I wasn't really referring  
11 to the ECDIS speed because I thought -- pretty sure I had already  
12 changed that over because, like I said, I wanted both units to be  
13 using the same input.

14 Q. Yeah.

15 A. So if there's anything for the ECDIS, just like even a PPU  
16 and any of these electronic equipment computers it's to validate.

17 Q. Okay.

18 A. I don't rely on it.

19 Q. Okay.

20 A. Does that make sense?

21 Q. Yeah.

22 A. Because I don't want to be in front of that computer --

23 Q. Right.

24 A. -- when there's so many other instruments that I could be  
25 using that my experience shows I rely on better.

1 Q. Okay.

2 A. And so I can always rely on tuning in the radar and getting  
3 it to my -- when I have time on a bridge in preparation. That's  
4 why I always -- I swear I'm always 30 minutes early to a job and I  
5 anticipated that same amount of time or roughly amount of time to  
6 get a cup of -- two cups of coffee and get my equipment oriented  
7 to my satisfaction. That's what I usually do.

8 Q. Okay. We also mentioned and, again, my lack of familiarity  
9 with this area, Rosario Strait --

10 A. Yes.

11 Q. -- was your source for the current, for the tidal  
12 information?

13 A. Yes, yes.

14 Q. Okay. Any other sources or just that?

15 A. Well, it's tide book.

16 Q. That's the -- okay, yeah.

17 A. And then I have a NOAA tide program.

18 Q. Yep.

19 A. And for me I needed to know what the height of the tide is at  
20 certain times. So at home I printed out the table of the tides  
21 for both days.

22 Q. Okay.

23 A. For Saturday and Sunday. So I knew what the level of tide  
24 would be at a certain time, and then I wouldn't know what the  
25 draft of the ship -- there's a -- or the agent will notify my

1 dispatch what the draft of the ship will be at sailing. I found  
2 in my experience that's not usually accurate, so I get a general  
3 idea but when I get there my only accuracy for making my  
4 calculations is when I'm on board the ship.

5 Q. Okay.

6 A. But that's the information I use. Usually I print that out  
7 at home.

8 Q. Okay. I'm getting down there. Clarification. So we went  
9 back to this you noticed something was wrong, you step out to the  
10 bridge wing, you ask the master the distance, he gives that to  
11 you, 40 meters?

12 UNIDENTIFIED SPEAKER: Sorry, not trying to -- I think he  
13 overheard the mate tell the master.

14 MR. HENSHAW: I heard that on his radio.

15 BY MR. TUCKER:

16 Q. Oh, you heard the mate tell the master?

17 A. I did, because that's why I needed to be standing a little  
18 closer to the door because I heard 40 meters.

19 Q. 40 meters. Okay, all right.

20 A. And then I hear the captain asking questions, but I actually  
21 heard his radio better, because one of the fortunate things for  
22 this was his radio was loud.

23 Q. Yeah.

24 A. In fact, I sometimes typically get on the ships -- I can't  
25 remember exactly this one, but sometimes I'll ask the tugboats to



1 talk a little louder, because they really like their handheld  
2 radios.

3 Q. Okay.

4 A. I could hear the radio.

5 Q. You heard the radio com?

6 A. Yes.

7 Q. Okay.

8 A. So there wasn't -- yes, I heard the mate.

9 Q. Okay. So up to that point, had there been any orders given  
10 to the tugs?

11 A. No directional orders, just a preparation on the bow to let  
12 them know I might -- you know, basically to get them in position.

13 Q. Yeah.

14 A. And I didn't hear anything until I told them full away.

15 MR. TUCKER: Understood. Okay. I always have one last  
16 question but that's all I have for now.

17 UNIDENTIFIED SPEAKER: I'm finished.

18 CWO [REDACTED] Okay.

19 MR. [REDACTED]: I don't have any more questions.

20 BY CWO [REDACTED]

21 Q. All right. Well, I think we're just about done here. After  
22 going over all of this and all the questions that we asked you, is  
23 there anything in addition that you might want to tell us about  
24 that might help our investigation that you think we haven't  
25 covered?

1 A. Hindsight is everything, and I think that at this time not  
2 knowing where we're going with this investigation -- I know this  
3 is a conference for you to get information. I feel more  
4 comfortable if you ask me specific questions I can answer at this  
5 time. I think if we get to a point where I can feel comfortable  
6 about making comments, personal, and also objective and  
7 subjective, all these kind of things, I'd like to do it in a  
8 different format; is that fair?

9 Q. Okay. What would that be?

10 A. Well, more of one-on-one. It's more of I find this -- I've  
11 never been in the situation. I don't know what to anticipate. I  
12 do know that what I say now can be very important to be used.

13 Q. Okay.

14 A. And I want to make sure that I measure myself cautiously and  
15 I think professionally -- I'll tell you professionally what you  
16 want to hear or need to hear. As far as for you for the future, I  
17 know, I understand what the NTSB is for; try to eliminate this  
18 ever happening again. My same purpose is the same. If I had to  
19 do this over again it would be completely different, we would not  
20 be here. But if there was anything I was going to comment on, it  
21 was my anticipation to have more time to prepare.

22 Q. More time to prepare.

23 A. On that bridge. I believe strongly the captain was under --  
24 not duress, but I believe he had huge intentions to try to --  
25 because they didn't get as much cargo on that he thought they

1 would get and they needed to get away at 1800 because of tide. I  
2 believe his pressure was to get in there as soon as possible to  
3 start cargo operations.

4 I'm here to try to accommodate and assist the captain as  
5 necessary so he can feel that I'm doing everything I can to help  
6 him without jeopardizing any safety issues. I think that my  
7 influence of how I started the day at 3:30, 3:45 in the morning  
8 was put in a position of being faster than I anticipated.

9 I am completely surprised to know that anticipating a 5 or 6  
10 minute for every shackle to come on board and I'm underway shortly  
11 after he says he's heaving, my judgment is that he already shorted  
12 and upped the anchor. I think he already started. The crew's  
13 already there ready to go.

14 So I believe the anchor started at 3:40. That's what I, you  
15 know, am recollecting. As far as underway, you'll have the data  
16 for that; I don't. When I referred to information there, when the  
17 captain doesn't even know what time he hit the pier, I don't have  
18 anything that I can rely on before I left the ship. I did ask for  
19 a bell logger and it's an electronic bell logger. I wanted to  
20 know time frame for the bells that I used. You know, typically on  
21 most ships, Captain, you remember --

22 Q. Yeah.

23 A. -- they all noted it on time because they had a clock and all  
24 that. Well, it was electronic, and I said can you show me? And  
25 then mate, which was not helpful to me by the time, you know, the

1 morning mate, I asked him a couple times, I said, I need the bell.  
2 You know, I wanted something for myself to leave the ship with.  
3 And the captain, I asked him, he says, it's electronic, and they  
4 had no way of bringing it up without a process, and I don't know  
5 what that meant, I mean as my word.

6       So time is all judgement from my point of right here. I was  
7 not -- I felt that it was -- I would have liked a little more  
8 time. I would have liked to have had that second cup of coffee.  
9 I mean, coming up, and as we all know with a cup of coffee  
10 sometimes it just gives you that feeling that you're got a little  
11 more -- you know, the blood cells are running a little faster, all  
12 that kind of stuff.

13       I think that if I was going to make a situation -- make a  
14 comment, I anticipated more time on the bridge before we got  
15 underway.

16 Q.    Okay.

17 A.    And I might have been able to talk things out with him and I  
18 think -- I know I would have discussed the landing approach and  
19 all that with the captain. I think that would have been. But I  
20 also know that from the time he -- I got on board, he was not  
21 happy with the efficiency and the speed of the crew, and that's  
22 his business. But also it was an underlying effort on his part to  
23 try to be as quick in to get cargo and away, because they had to  
24 get away at 1800. So I'm just repeating what I'm saying here, but  
25 was that an influence, yes.

1 Q. Okay.

2 A. Subtle? Yes. But it's still there.

3 CWO [REDACTED] NTSB, you got anything?

4 MR. TUCKER: No.

5 CWO [REDACTED] Did I steal your thunder?

6 MR. TUCKER: You did.

7 CWO [REDACTED] Okay. Well, let's go ahead and shut her down.

8 MR. TUCKER: All right. Stop this, and the time is -- 12:30,

9 we'll end the recording.

10 (Whereupon, at 12:30 p.m., the interview was concluded.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF:            ALLISION OF THE LPG TANKER *LEVANT*  
                                      WITH THE ALCOA INTALCO WORKS GAS  
                                      TERMINAL PIER AT FERNDAL, WA  
                                      DECEMBER 15, 2019  
                                      Interview of Brian Henshaw

ACCIDENT NO.:                DCA20FM006

PLACE:                         Seattle, Washington

DATE:                          December 15, 2019

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
Cheryl Farner Donovan  
Transcriber